

**BEFORE THE HEARINGS COMMISSIONERS FOR THE WAIKATO DISTRICT COUNCIL**

**UNDER** the Resource Management Act 1991

**AND**

**IN THE MATTER** of hearing submissions and further submissions on the Proposed Waikato District Plan

Hearing 25 – Zone Extents

**PARTIES REPRESENTED** Xikang (James) Lin (#290)

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**JOINT STATEMENT OF PLANNING EVIDENCE BY SAM SHUKER AND NICK HALL FOR JAMES LIN**

*17 February 2021*

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## MAY IT PLEASE THE PANEL

### Introduction

1. This is a joint planning statement of evidence on behalf of Xikang (James) Lin (**Submitter**) relating to the rezoning of land located at 297 Dominion Road, Tuakau (**Site**) which is subject to the Proposed Waikato District Plan (**PWDP**).

### Qualifications and Experience

#### Sam Shuker

2. My full name is Samuel Walter Shuker. I am a planner who is currently working for Birch Surveyors Limited, which is a firm of Planners, Surveyors and Engineers. The firm has offices in Auckland, Pukekohe, Hamilton, Tauranga and Tairua, however, I am based out of Pukekohe.
3. I have a Bachelor of Science, Majoring in Land Planning and Development, from the University of Otago.
4. I have had four years professional planning experience and I am an associate member of the New Zealand Planning Institute.

#### Nick Hall

5. My full name is Nicholas (Nick) John Hall. I am a Consultant at Birch Surveyors Limited (BSL), a consulting firm with surveyors, planners and engineers based in Auckland, and with offices in Hamilton, Tauranga and Tairua.
6. I have been an employee of Birch Surveyors Limited for 17 years since early 2004 and obtained a National Diploma in Surveying in late 2006. I am an associate member of Survey & Spatial NZ.
7. My relevant professional work experiences include Planning, Surveying and Land Development Engineering, predominantly associated with subdivision and land-use developments in the southern Auckland and north Waikato regions where I manage all aspects of development from initial assessment to commencement and through to completion. I have prepared submissions on behalf of clients for plan reviews and changes and have prepared planning evidence on behalf of applicants for hearings.

### **Involvement in the Site Submission**

8. Our involvement in this submission has been from the date of the Notified PWDP in mid-2018, and included preparing the original submission and further submissions on the PWDP.

### **Purpose and Scope of Evidence**

9. Our statement of evidence covers how the rezoning of the Site will align with the statutory frameworks and canvasses the actual and potential effects associated with the activities enabled by the proposal.

### **Expert Witness Code of Conduct**

10. We have read the Code of Conduct for Expert Witnesses, contained in the Environment Court Consolidated Practice Note (2014) and we agree to comply with it. We can confirm that the issues addressed in this statement are within our areas of expertise and that in preparing this evidence we have not omitted to consider material facts known to us that might alter or detract from the opinions expressed.

### **Overview of Submission**

11. The PWDP zoned 6.0198ha of the Site to be Village, whilst the remaining 19.1345ha of the Site was zoned Rural.
12. On the 02 October 2018 the original submission was made to Waikato District Council (**Council**) to rezone 19.1345ha of the Site to Village.
13. The submission has been made on the basis of emphasising the need to provide capacity for growth in the Waikato District and providing a more logical extent of the Village Zone along Dominion Road.

### **Statutory Framework**

14. The proposal is subject to the statutory framework of the Resource Management Act 1991 (RMA) as follows:
  - a. Part 2 – Purpose and Principles (s5 – 8);
  - b. S31 – functions of territorial authorities under this act;

- c. S32 – requirements for preparing and publishing further evaluations;
- d. S74 – matters to be considered by territorial authority; and
- e. S75 – contents of district plans.

## **Part 2 – Purpose and Principles**

15. The singular purpose of the RMA is to promote the sustainable management of natural and physical resources. Understandably the district plan must be changed in accordance with the purpose, and Part 2 of the RMA as a whole (as per s74). The sections comprising Part 2 are assessed in turn.

## **Section 5 – Purpose**

16. The purpose of the RMA is to promote the sustainable management of natural and physical resources. In this instance, the land to which this evidence relates is a natural and physical resource. The rezoning will enable further intensification and additional development of the site which will be enabling people and the community to provide for their social, economic, and cultural well-being.

## **Section 6 – Matters of National Importance**

17. The matters of National Importance of relevance to this Site are limited to 6 (e) and (h). These matters are addressed in lower-level policy documents and do not warrant further assessments at this time.

## **Section 7 – Other Matters**

18. The particular other matters that are relevant to the proposal will be addressed in the provisions of lower-level policy documents such that detailed assessment here is not necessary.

## **Section 8 – Treaty of Waitangi**

19. The principles of the Treaty of Waitangi (Te Tiriti o Waitangi) have been taken into account in the development of the PWDP by Council. This has involved meaningful engagement with an Iwi Reference Group comprising of representatives from iwi, hapu and marae. This engagement can be taken

further at later development stages by working with iwi to consider how future development on the site can respectfully and meaningfully incorporate cultural values.

### **Section 31 – Function of Territorial Authorities**

20. Under s31(1) of the RMA, Council as a territorial authority has a number of functions for the purpose of giving effect to the RMA in its district, including the establishment, implementation and review of objectives, policies and methods to achieve integrated management of the effects of the use, development or protection of land and associated natural and physical resources of the Waikato District.

### **Section 32 – Preparing and Publishing Evaluation Reports**

21. No section 32 analysis has been specifically prepared for the Site and therefore a section 32AA evaluation has been prepared and is attached as **Attachment A**.

### **Section 75 – Contents of district plans**

22. In addition to setting out what the PWDP must and may state, section 75(3) states that the PWDP must give effect to;

- a. Any national policy statement;
- b. A national planning standard; and
- c. Any regional policy statement.

23. The relevant national policy statement(s) for the Site comprise:

- a. National Policy Statement for Urban Development 2020 (**NPS-UD**)

24. The relevant regional policy statement is the Waikato Regional Policy Statement (**WRPS**), which became operative in 2016.

25. Te Ture Whaimana o Te Awa o Waikato (the Vision and Strategy for the Waikato River) is part of the WRPS.

26. In addition, the PWDP must not be inconsistent with a regional plan for any matter specified in Section 30(1) of the RMA, which related to the functions of

regional councils under the RMA. The relevant regional plan is the Waikato Regional Plan (**WRP**).

### **Key Statutory Documents**

27. The following documents are key statutory documents in respect to the proposed rezoning:

- a. NPS-UD
- b. The Vision and Strategy for the Waikato River
- c. WRPS
- d. The Waikato-Tainui Environment Plan, Tai Tumu, Tai Pari, Tai Ao
- e. The National Planning Standards
- f. Future Proof Strategy Planning for Growth 2017
- g. Waikato 2070

### **NPS-UD**

28. The NPS-UD came into effect on 20 August 2020 and is intended to help provide well-functioning urban environments that enable people and communities to provide for their social, economic, cultural wellbeing and their health and safety, now and in the future.

29. A specified within the PWDP Hearing 25 Zone Extents Framework Report (Framework Report), the housing demand has increased since the PWDP was notified back in July 2018. The NPS-UD requires Councils to have a competitiveness margin of 20% in the short to medium term. This means the land zoned for further residential development back in 2018 will not be sufficient enough to meet the NPS-UD requirement.

30. The rezoning of the entire Site to Village will allow for additional development of the site, above what will currently exist under the PWDP. This will mean the rezoning sought will be helping to better align the PWDP with the NPS-UD document.

### The Vision and Strategy for Waikato River

31. The Site is not located within the vicinity of the Waikato River and has no direct impact on the river. Therefore, we do not consider this document to be relevant to this proposal.

### WRPS

32. As per the Framework Report, the PWDP objectives and policies generally seek the same outcomes as the WRPS. Therefore, if the submission is in general accordance with the PWDP it is assumed that it will be in general accordance with the WRPS. Refer to
33. The s32AA evaluation in **Attachment C** provides an assessment against the relevant PWDP objectives and policies.
34. The Framework Report suggests that submissions on zonings need to address the list stated in 6.1.8 of the WRPS. Provided below are the points from the list relevant to this submission:
- a. *The type and location of land uses (including residential, industrial, commercial and recreational land uses, and community facilities where these can be anticipated) that will be permitted or provided for, and the density, staging and trigger requirements;*
  - b. *the location, type, scale, funding and staging of infrastructure required to service the area;*
  - c. *multi-modal transport links and connectivity, both within the area of new urban development, and to neighbouring areas and existing transport infrastructure; and how the safe and efficient functioning of existing and planned transport and other regionally significant infrastructure will be protected and enhanced;*
  - d. *how existing values, and valued features of the area (including amenity, landscape, natural character, ecological and heritage values, water bodies, high class soils and significant view catchments) will be managed; and*

- e. potential natural hazards and how the related risks will be managed.
  - g. how stormwater will be managed having regard to a total catchment management approach and low impact design methods;
  - i. how the relationship of tāngata whenua and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga has been recognised and provided for;
35. Re-zoning the Site to Village Zone will define the location. Village Zone land uses provided for, densities and development controls remain unchanged from the PWDP. Staging, recreational and community facilities and infrastructure growth and support should be developed through Structure Planning.
36. Lot yields will increase by rezoning the entire Site to Village Zone.
37. Village Zoned land is largely unreticulated; services will be appropriately managed onsite, with the intention of being further developed when public services become available.
38. The Site is located upstream of the public stormwater and wastewater services. This should enable economical gravity fed public infrastructure extensions to be made.
39. The Site includes potential access and transport links along Dominion Road. This link can provide improved access to the Site and connectivity to neighbouring Village Zone properties west of the Site.
40. The Site retains mostly non-versatile Class 4 soils according to the New Zealand Land Resource Inventory (NZLRI) Land Use Capability Maps which are not considered high-class or versatile soils. Refer to **Attachment D**.
41. The Site promotes a more defensible Zone boundary by inclusion of the entire Site as Village Zone, and bounding Dominion Rd and a private way.
42. There are no registered cultural or historical sites of significance registered on the Site. Iwi involvement in development of the Village Zone would become more relevant during development of a Structure Plan for this area.

43. Natural hazards information and detail is limited. In development of the Tuakau Structure Plan (TSP) the Site formed part of the study area for a Geotechnical Suitability Assessment by AECOM which included high level geotechnical and historic seismic reporting.

Land Development Suitability Categories are established as;

- Category A – Low Risk
- Category B – Some Risk
- Category C – Moderate Risk
- Category D – High Risk

44. Village Zone land under the PWDP along Dominion Rd is located on Category A, B and C land

45. The Site is located in an area with Category A and C land and is therefore consistent with the areas along Dominion Road zoned Village under the PWDP. **Attachment E** includes a map of the PWDP Village Zone along Dominion Rd, and the Site, overlaying an extract from the Development Suitability Categories Map by AECOM prepared to inform the TSP.

### **The Waikato-Tainui Environment Plan, Tai Tumu, Tai Pari, Tai Ao**

46. The Waikato-Tainui Environment Plan (WTEP) is required to be taken into account in accordance with section 74(2A). The overarching purpose of the WTEP is to provide a pathway that returns the Waikato-Tainui rohe to the modern-day equivalent of the environmental state it was in when Kiingi Taawhiao composed his maimai aroha. It provides guidance to external agencies regarding Waikato-Tainui values, principles, knowledge and perspectives on its relationship with, and objectives for, natural resources and the environment, including the Waikato River.

47. There are no registered cultural or historical sites of significance registered on the Site. Given the scale of the Submission (small) consideration of the WTEP and Waikato-Tainui consultation and involvement will be further considered with Structure Planning for the Village Zone in this area

### **The National Planning Standards**

48. The first set of National Planning Standards were initially published in April 2019, with some minor updates being made since. The National Planning Standards specify the structure, form, definitions and electronic accessibility of the RMA plans and policy statements to allow for more efficient use and preparation.
49. Due to the scale of the submission, the relevance of these standards is only minor, however, they have been adopted as far as practicable.

### **Future Proof Strategy Planning for Growth 2017**

50. The Future Proof Strategy (FPS) is a “30-year growth management and implementation plan specific to the Hamilton, Waipa and Waikato sub-region”.
51. Within the FPS, Tuakau is frequently referenced as an area on which there will be growth emphasis. As specified within the FPS and Framework Report, 80% of residential growth in the Waikato District is to be within the identified growth towns and villages.
52. As indicated in the Framework Report, the result of Covid-19 pandemic has meant that projections for housing demand over the 2021-2031 period have increased by approximately 4,000 households to the projections forecast previously.
53. Re-zoning the entire Site to Village Zone will be creating the opportunity for additional households to be created. This will help contribute to satisfying the housing demand within an identified growth area.

### **Waikato 2070**

54. Waikato 2070 is a growth and economic development strategy, detailing future settlement patterns and indicating timings of new growth areas across the District.
55. Maps within Waikato 2070, show the areas along Dominion Road as identified for development in the next 3-10 years, with standalone dwellings and a lower density. The PWDP Village Zone reflects a low-density living environment and the Site adjoins this growth area.

56. The re-zoning proposal for the Site is intended to align with the PWDP Village Zone provisions starting with non-reticulated Village Zone capacity shown on the Concept Plan.
57. Structure Plan development in this area can facilitate the land-use and transitional development outcomes sought by the Village Zone and growth of Tuakau.

### **Assessment of Effects**

#### **Character and Amenity**

58. The Village Zone is primarily a large lot residential area that will transition from a largely non-reticulated zone to a reticulated zone with lots ranging from 1000m<sup>2</sup> – 3000m<sup>2</sup> net area.
59. The Site will initially not feature reticulated services, so the Concept Plan supplied shows a potential non-reticulated development with all lots being provided appropriate space to enable a Village Zone character and amenity to be developed.
60. Structure Planning the Village Zone can promote good urban environments and amenity.
61. Re-zoning the whole Site to the Village Zone will form a more defensible zone boundary along Dominion Road and adjoining private access road. If adopted, the Site will improve in defining a more distinct boundary and a buffer from the Rural Zone to the north and east of the Site. This will improve the ability of the adjoining zones to develop and maintain their character and amenity values

#### **Rural Production, Land-Use Effects and Soil Resources**

62. The site retains mostly non-versatile Class 4 soils according to The New Zealand Land Resource Inventory (NZLRI) Land Use Capability Maps which are not considered high-class or versatile soils, refer **Attachment D**.
63. The Site is also considered of a size, shape and scale, that its rural productive potential is limited at 19.1345 hectares.

64. The addition of non-versatile land for residential development protects versatile soils for productive purposes.
65. The rezoning will be allowing for the entire site to be contained within the Village Zone, which will help eliminate any cross-zone difficulties which may occur with the current zoning under the PWDP.

### **Traffic and Accessibility**

66. Development proposed along Dominion Road and surrounds by the PWDP already requires an improved public access and transport integration plan for Tuakau. This will be most effective through Structure Planning for the growth of the Tuakau.
67. Re-zoning the Site will add to the required improvements for access and transport.
68. A small area of PWDP Village Zone land to the west of the Site adjoins Dominion Road and is steeper in nature. Dominion Road runs along a small ridge line at this location where lots zoned Village will look to service developments from. Access and traffic solutions are needed.
69. The Site may contribute to improved traffic management solutions and access to housing on the Site and neighbouring properties to the west by enabling alternative access routes as indicated on the Concept Plan, or in support of strategic transport planning that should occur as part of structure planning development.
70. The Concept Plan indicates that new lots will mostly be accessed from new roading, relieving Dominion Road of increased vehicle crossing access to housing.

### **Services**

71. Reticulated services are not currently within the vicinity of the Site, so future development will be required to manage services onsite. As per Appendix 5 of the Framework Report, services are expected to be constructed along Dominion Road between 2023-2030.

72. The Site is located upstream of the public stormwater and wastewater services meaning that economical gravity fed public infrastructure extensions can be made.
73. East of the Residential Zone land under the PWDP, the Site would increase the Village Zone land by approximately 15.49% from 123.5 hectares (gross area) to 142.6 hectares (gross area). If the re-zoning is approved, planning for the increased demand on services would be considered during the structure planning development.

### **Village Future Urban Density Precinct**

74. The s42A report for the Village Zone has recommended that a Village Future Urban Density Precinct (VFUDP) be introduced which would severely restrict Village Zone properties within this precinct to be developed, until reticulated services become available.
75. The PWDP Village Zone eastern areas along Dominion Road have been identified within this VFUDP as enclosed in **Attachment F**.
76. The basis of establishing the VFUDP is around ensuring that good quality design, layout, development integration and infrastructure can be accomplished for a reticulated service Village Zone as services become available, and ensuring that the residential lot densities envisaged for the Village Zone are achieved.
77. The VFUDP does not provide for the anticipated progressive and transitional nature of the Village Zone from a mainly non-reticulated Zone to a reticulated Zone.
78. The transitional nature of the Village Zone will require controls and structure planning to ensure the outcomes sought by the Village Zoning are achieved.
79. Structure Planning and specific development controls, addressing planning for infrastructure growth, transport networks, public open space and reserves will allow integrated development of the Village Zone from a mainly non-reticulated un-serviced zone to reticulated serviced zone in a way that should enable the transitional scale of development, and functioning, anticipated by the PWDP Village Zone.

### **Issues raised by further Submitters**

80. Further submissions were received from Mercury NZ Limited (#1223) and Waikato Regional Council (#1277).
81. Submission #1223, dated 15 July 2019, relates to flood hazards and how at the time of this further submission there were no provisions or maps, in relation to flooding, available. Since then, the Council have released a Stage 2 – Natural Hazards section to the PWDP.
82. Referring to the PWDP Stage 2 planning maps, there are no natural hazards subject to the submission site. Therefore, we do not consider this further submission to be relevant to our proposal.
83. Submission #1277, dated 15 July 2019 makes reference to the WRPS and how rural-residential development must be considered strategically across the district. The WRPS makes specific reference to rural-residential development being directed away from natural hazard areas, regionally significant industries, high class soils, renewable energy generation site, electricity transmission and identified significant mineral resources.
84. The Site is not recorded as being subjected to significant natural hazards, nor have any hazards been identified over the Site within Stage 2 of the PWDP.
85. The majority of the site is located on non-versatile soils, refer to **Attachment D**, and is not subject to any regionally significant industries, transmission lines or significant mineral resources.
86. Submission #1277 references Section 6.17 which relates to rural-residential development in a future proof area. The development of the Village Zone as a large lot residential zone is discussed throughout this evidence, with the Site located adjoining an area where growth is anticipated. Growth and transition to a fully reticulated and service location that addresses the matters raised in 6.17 WRPS can be managed through structure planning.

### **S42A Framework Report**

87. The s42A Framework Report was released on the 19<sup>th</sup> January 2021 with a stated function to achieve a consistent approach for the consideration of rezoning submissions.

88. The three-lens methodology outlined in the s42A Report has been integrated into this evidence with the assessment against the relevant PWDP objectives and policies contained within the s32AA evaluation attached within **Attachment C**.

89. Contained throughout this evidence is demonstration of alignment/consistency with the higher order documents.

90. Some of the key points to take from the Framework are detailed below:

- a. As a result of covid-19, projections for housing demand have increased which means additional development is required to meet the future demand.
- b. Zone boundaries should be defensible e.g., follow roads boundaries where possible. This helps to further define a zone area and also creates a buffer between zones.
- c. Zone boundaries should follow property boundaries.

91. Re-zoning the entire Site to Village, will be allowing for additional development to occur, which will help satisfy the increased housing demand within the region.

92. The extent of Dominion Road creates a suitable boundary for the Village Zone, while creating a buffer between the Rural Zone.

93. The Site currently consists of two allotments, which are held in one title. Currently one lot is zoned Village and the other is zoned Rural. Re-zoning the entire Site to Village will help remove any cross-zone issues which may arise when the Site is developed.

## **Conclusion**

94. Re-zoning the entire Site to Village Zone;

- pulls together two parcels of land held in one Record of Title to become the same zoning,
- adjoins land currently zoned Village under PWDP, and is located in an area where growth is expected;

- delivers a more defensible zone boundary and buffer between the Village and Rural Zone
- will bring additional development opportunities and help with increased housing demand.

95. Re-zoning the Site to Village Zone may also;

- provide options for infrastructure growth, transport networks, public open space and reserves through Structure Planning

96. The re-zoning is not considered to be inconsistent with the relevant higher order documents or the PWDP objectives and policies for the Village Zone.

**Sam Shuker & Nick Hall**

**17 February 2021**

**Attachment A**

**Original Submission**

Tuesday, 2 October 2018

## SUBMISSION ON PROPOSED WAIKATO DISTRICT PLAN (STAGE 1)

This is a **Submission** on the following proposed plan:

*The Proposed Waikato District Plan (Stage 1)*

**To:** Planning Department  
Waikato District Council  
Private Bag 544  
Ngaruawahia, 3742

**This is a submission from:**

**Submitter:** Birch Surveyors Limited (on behalf of): Xikang (James) Lin

James Lin could not gain an advantage in trade competition through this submission.

**Name of Agent:** Nick Hall – Birch Surveyors Limited

**Address:** PO Box 475, Pukekohe 2340

**Phone:** 09 237 0782

**Email:** nick@bslnz.com

### APPENDICES:

APPENDIX A: Concept Plans – Birch Surveyors Limited

APPENDIX B: Photographs of Submission Site

APPENDIX C: Computer Freehold Register (CFR)

## 1 EXECUTIVE SUMMARY

Birch Surveyors Limited (BSL) has been engaged by, and is acting on behalf of James Lin to make a submission on the Proposed Waikato District Plan (Stage 1) (PWDP). The submission is made pursuant to Schedule 1 (Section 6) of the Resource Management Act 1991 (RMA) which allows for any person to submit on a publicly notified plan with the submission required to be in the prescribed form as per Form 5 (Schedule 1) of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.

The scope of this submission is limited to our clients 25.1543 ha land holding located at 297 Dominion Road, Tuakau (hereon referred to as the submission site) located approximately 3km north east of the Tuakau Township. Refer to Figure 1 below.

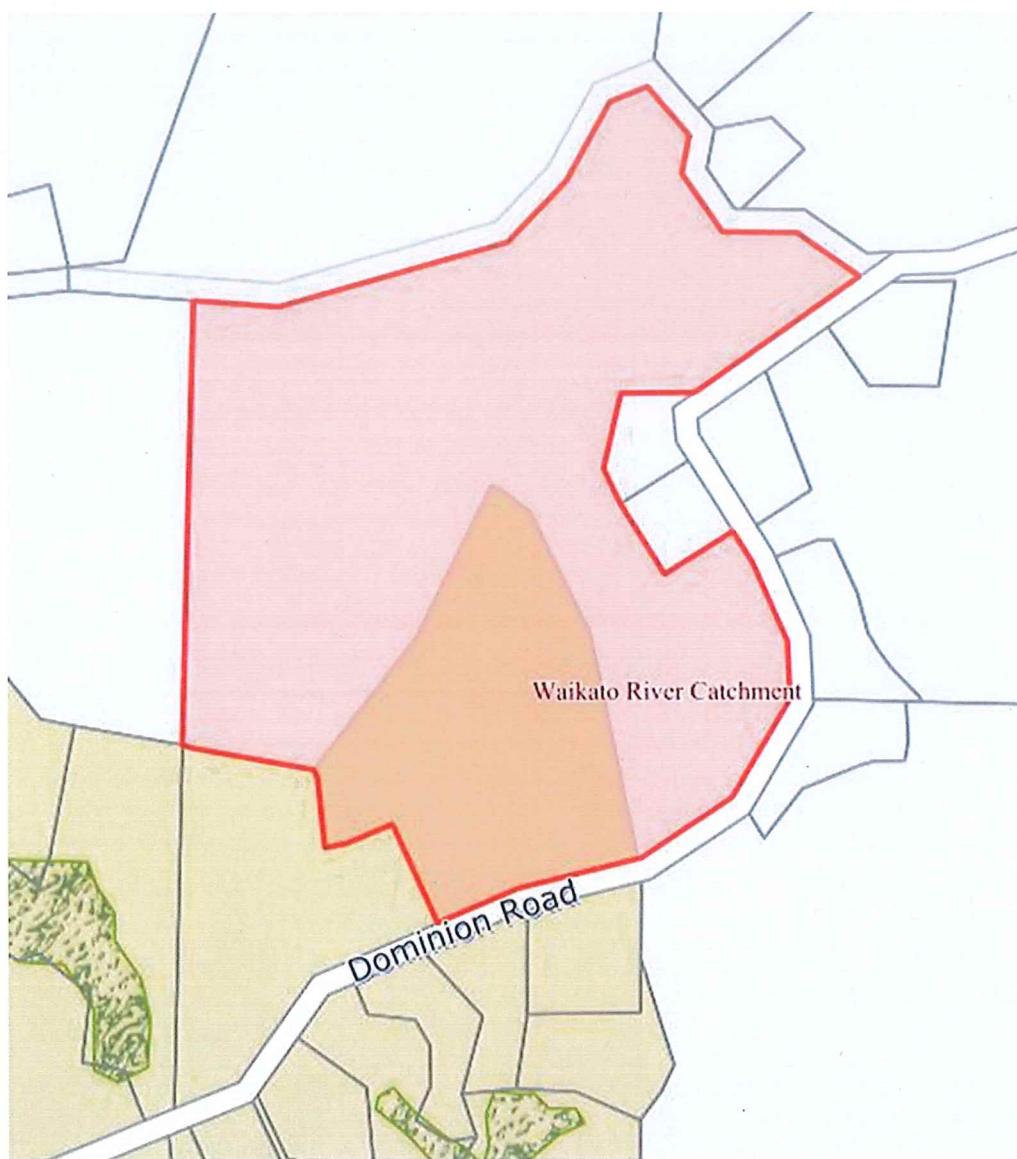


Figure 1: Map of Submission Site, in red (Source: Waikato District Council Intramaps - Proposed Plan)

The property can be legally described as Lot 1 DP 509070 (19.1345 ha) and Lot 2 DP 202306 (6.0198 ha), both held together in Computer Freehold Register (CFR) 780240. A copy of the CFR has been attached within **Appendix C**.

On behalf of our client, we are seeking the partial rezoning of the site from a combination of Rural and Village (currently proposed) into solely Village. We request that this submission is considered by

Council, and if agreeable, be included as part of the District Plan Review. A few appendices are enclosed with the submission, these include:

- Concept Plans for the submission site have been prepared by Birch Surveyors Limited and are attached within **Appendix A**.

Sheet 1 of the Concept Plans indicates the extent of the existing Village Zone under the PWDP, Sheet 2 represents the extension of the Village Zone and the intent of this submission and Sheet 3 is a concept plan of the submission site in accordance with the Village Zone Standards.

- Multiple photographs were taking whilst out onsite including a few drone photos. Some of these have been included in a word document attached within **Appendix B**. These photos give a general understanding of the topography and layout of the submission site and its surroundings.
- A copy of the Computer Freehold Register has been attached within **Appendix C**. Both Lot 1 DP 509070 and Lot 2 DP 202306 are held together in the same title.

## 2 BACKGROUND ON SUBMISSION AREA/SITE

SUBMITTER	Xikang (James) Lin
SUBMISSION SITE AND ADDRESS	297 Dominion Road, Tuakau
DESCRIPTION OF SUBMISSION	Extend the Village Zone to include the entirety of the site (Lot 1 DP 509070 and Lot 2 DP 202306).
SITE AREA	25.1543 ha

### 2.1 LOCATION AND SURROUNDINGS

The submission site is located at 297 Dominion Road, Tuakau towards the end of the road approximately 3km away from the Tuakau Township.

To the north, east and north-west of the site the neighbouring properties are zoned Rural. To the south and south west of the site the neighbouring properties are zoned Village. Refer to Sheet 1 of the Concept Plans attached within **Appendix A**.

The site is surrounded by a mixture of smaller rural lifestyle type properties and small to medium scale rural properties.

The site is partly zoned Village under the PWDP (Lot 2 DP 202306 (6.0198ha)) whilst the balance of the Site is zoned Rural under PWDP.

### 2.2 TOPOGRAPHY, SITE FEATURES AND EXISTING USE

The site is 25.1543 ha and features a mixture of hilly and flat topography.

The land slopes away from Dominion Road into a widening gully which runs through the middle of the site. The site climbs back up a steeper south east face to the north west onto a small plateau before dropping away towards the site boundary.

Refer to **Appendix B** for a range of site photos for a better understanding of the submission site.

A site specific geotechnical report was previously carried out on Lot 2 and 3 DP 509070, which were previously contained within the submission site and currently remain in the ownership of the submitter. This recent geotechnical report and the surrounding established lifestyle type properties suggests that the submission site, which is located at the same location and on the same type of topography and underlying ground conditions, should be suitable for development.

The site currently features an existing dwelling located in the southern region which is surrounded by a few ancillary buildings. There is another ancillary building located towards the middle of the site.

The rest of the site is predominantly grass land with small patches of vegetation scattered around.

The site is used for grazing livestock.

### 3 BASIS OF SUBMISSION

The basis of this submission is comprised around multiple arguments, these include:

- Emphasising the need to provide capacity for growth in Tuakau. This is demonstrated through the analysis of key strategic growth documents for the Waikato District that project significant growth for Tuakau in the future. Tuakau has been identified as the northern Waikato town which will experience the largest population increase over the next 30 years. A summary of the strategic policy direction for Tuakau is provided in Section 3.1 below.
- The existing Village Zone boundary under the PWDP not being logical to the overall layout of the submission site and the surrounding area. This is discussed in more detail in Section 3.2 below.

#### 3.1 FUTURE GROWTH IN TUAKAU

NORTH WAIKATO INTEGRATED GROWTH MANAGEMENT PROGRAMME BUSINESS CASE (2017) (NWPBC)

- The NWPBC is a programme business case, the stated purpose of which is to determine planning options that can be implemented to provide for the next 30 years of future urban growth in the North Waikato. The recommended programme (Programme Option 6B) focuses on proactive planning in response to the significant population growth that the North Waikato will experience. The projected population as indicated by Programme Option 6B is outlined in Table 4-1 and Figure 2 below:

*Table 4-1: Projected Population Growth (by Town) for the Waikato Sub-Region*

TOWN	2016	2025	2035	2045
Tuakau	4,639	8,000	15,000	20,000
Pokeno	2,132	4,868	9,674	11,954
Meremere	564	708	734	711
Te Kauwhata	1,769	4,000	6,000	8,000
Huntly	7,491	8,014	8,310	9,000

*Note: Data reproduced from the s32 Report – Part 2 Strategic Direction and Management of Growth*

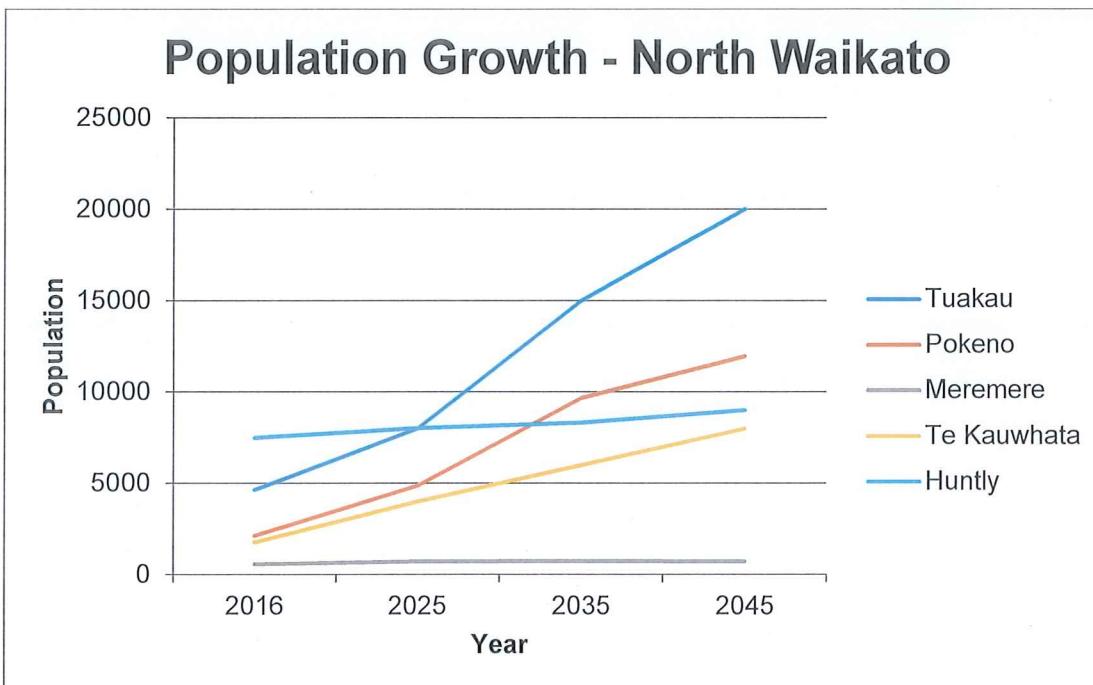


Figure 2: Graph showing population growth for the North Waikato (Source: NWPBC)

- Table 4-1 and Figure 2 indicates the significant increase in population of Tuakau in the decades leading up to 2045 whereby Tuakau will be the largest town in the North Waikato.

#### FUTURE PROOF STRATEGY - PLANNING FOR GROWTH (2017)

- The Future Proof Strategy (FPS) is a 'growth management and implementation plan' outlining how Hamilton, Waipa and the Waikato sub-region should develop in the next 30 years. Within the FPS, Tuakau is identified as a 'growth management area' in the Waikato District meaning Tuakau will be one of a number of towns where growth will be strategically focused.
- Specifically, Tuakau is described as being 'planned to accommodate residential growth recognising that many people may choose to live in Tuakau and commute to Auckland to work'.
- Whilst this submission is proposing to extend the Village Zone, this intensification of land will help aid the residential growth of Tuakau in providing opportunity for less compact residential development which features components of rural living.

#### NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT CAPACITY (2016)

- The National Policy Statement on Urban Development Capacity (NPS-UDC) "directs local authorities to provide sufficient development capacity in their district plans to ensure that demand can be met. This includes both the total aggregate demand for housing and business land, and also the demand for different types, sizes and locations." (pg.16, s32 Report – Strategic Direction and Management of Growth – Part 2)
- In the s32 report, the Waikato District is identified as a "high-growth area" (pg.16). The implications of this recognition are noteworthy as it means that the implementation of all of the objectives and policies of the NPS-UDC is required to ensure immediate effect to the NPS is given. For the purposes of the district plan review and this submission, the key points are identified in the S32 report. These include providing a range of housing choices, efficient

- land use, efficient infrastructure use and providing for current and future people/communities.
- The relief sought fulfils a lot of these key points by providing a range of different housing options on a mixed terrain site capturing components of both the residential and rural environment.

### 3.2 EXISTING VILLAGE ZONE

The current size of the submission site (25.1543ha) and the terrain does not provide many options or capacity to undertake viable rural activities. This compromised capacity is lessened by proposed village zoning of part of the site (6.0198ha), however this proposed zoning is valued as a suitable proposed use of the land by the submitter.

However the PWDP Village Zone boundary on the submission site is not considered to be in a logical position and appears to be based on following an old parcel boundary position, rather than a practical development location.

The submission site features additional areas which are suitable to be contained within the Village Zone, particularly areas adjoining Dominion Road where development access connections can be made. These additional areas are not zoned village but feature gentle topography which is suitable for intensification. Additionally the small plateau to the north west features appropriate terrain to feature multiple future developments.

The existing dwelling onsite is apparently segregated from the existing farming operation and looks like a separate property all together. Access from the existing dwelling to the farm is not well shaped or formed and appears as a small imprint within the grassed paddock.

The existing land zoned Village on the submission site falls steeply away from Dominion Road. This means there is very limited opportunity to provide a suitable access to the areas located in the gully within this zoned land. By extending the Village Zone to cover the whole site it will allow for a new road, with a more befitting gradient, to be connected to Dominion Road and provide a more suitable connection to the gully area and potentially other serviceable village zone sites.

A Concept Plan for full development of the submission site demonstrates the ability of the submission site to provide further Village Zone living opportunities, and potential increased connectivity to other village zone sites - Refer to Sheet 3 attached within **Appendix A**. The concept plan has been designed around the Residential Subdivision Guidelines (Appendix 3 of the PWDP).

A potential future road connection has been shown on the Concept Plan (Sheet 3) attached within **Appendix A**. This potential road can provide better connectivity around the Village Zone and allow for more accessibility to properties which have restricted access off Dominion Road.

The topography of the site includes some steep areas across the site, including up towards the small plateau in the north west region. Even with the steep terrain, access can still be provided to this area which includes numerous potential suitable building platforms.

Potential house sites for each lot have been provided on Sheet 3 attached within **Appendix A**. These potential house sites have been positioned around the existing contours to minimise potential earthworks. Of note is that the eventual house locations and final development layout is unknown at this time, and the concept plan is simply to demonstrate the viability of development on the site.

Referring to the concept plan (Sheet 3) attached within **Appendix A**, majority of the allotments will be located within the gully area which will mean they are embedded and will not be intrusive within the surrounding area.

The ridgeline to the north west is overshadowed by the hilly terrain north east of the site towards Ridge Road, so is not considered visually prominent. Also with the multitude of smaller rural blocks in the area, clusters of houses are already starting to form around the site.

We are aware that one of the properties adjoining the submission site is completing a submission to rezone their property from Rural to Village. This is similar to this submission and will help to form a link between the submission site and the rest of the Village Zone. Refer to Sheet 2 of the Concept Plans attached within **Appendix A**.

## 4 ANALYSIS AGAINST THE OBJECTIVE AND POLICIES OF THE VILLAGE ZONE

An assessment of the potential development on the submission site against the relevant Objectives and Policies of Part 4.3 Village Zone within Chapter 4: Urban Environment is contained below:

### **4.3 Village Zone**

#### **4.3.1 Objective – Village Zone Character**

- a) *The character of the Village Zone is maintained.*

#### **4.3.2 Policy – Character**

- a) *Buildings and activities within the Village Zone are designed, located, scaled and serviced in a manner that:*
  - a. *Is low density;*
  - b. *Maintains the semi-rural character;*
  - c. *Recognises lower levels of infrastructure and the absence of Council wastewater services*
- b) *Require activities within the Village Zone to be self-sufficient in the provision of onsite water supply, wastewater and stormwater disposal, unless a reticulated supply is available.*

#### **4.3.3 Policy – Future development – Tuakau and Te Kowhai**

- a) *Buildings and access are located in a position to enable future subdivision and development in Tuakau and Te Kowhai when infrastructure and services become available.*
- b) *Ensure buildings are positioned in a manner that provides for transition from large lots to smaller lots in Tuakau and Te Kowhai.*

#### **4.3.4 Objective – Village built form and amenity**

- a) *Neighbourhood residential amenity values in the Village Zone are maintained.*

#### **4.3.5 Policy – Building setbacks**

- a) *Maintain existing and promote new vistas and views between buildings in the Village Zone when viewed from a road.*

#### **4.3.6 Policy – Front setback character**

- a) *Maintain the existing character of streets.*

#### 4.3.14 Objectives – Earthworks

- a) *Earthworks facilitate subdivision, use and development.*

#### 4.3.15 Policy – Earthworks

- a) *Manage the effects of earthworks to ensure that:*
  - a. *Erosion and sediment loss is avoided or mitigated;*
  - b. *Changes to natural water flows and established drainage paths are avoided or mitigated; and*
  - c. *Adjoining properties and public services are protected.*
- b) *Ensure any fill material brought to site is suitable for its purpose.*
- c) *Manage the amount of land being disturbed at any one time to avoid, remedy or mitigate adverse construction noise, vibration, odour, dust, lighting and traffic effects.*
- d) *Subdivision and development occurs in a manner that maintains fundamental shape, contour and landscape characteristics.*
- e) *The ground is geo-technical sound and remains safe and stable for the duration of the intended land use.*

#### Comments:

- Referring to Sheet 3 attached within **Appendix A**, 63 allotments can be provided on the site under the Village Zone Standards of the PWDP.
- These allotments are considered capable of maintaining the Village character by providing low density developments which will maintain components of rural living.
- All lots are capable of providing suitable onsite wastewater and stormwater disposal.
- Some of the lots shown on the Concept Plan would be restricted from further development due to the topography, but the lots located within the gully would be suitable for further development if reticulated services were to become available onsite.
- The site is surrounded by predominantly rural properties, but due to the topography the surrounding ridges encase the gully and help provide a residential neighbourhood feel to the site.
- While there will be an increase in developments and driveways along Dominion Road, the existing nature of the road is that of one located within the Village Zone already. There are numerous existing vehicle crossing located down the road including around the site.
- Due to the steep topography featured in some parts on the submission site, earthworks will be required. Any future earthworks can be carried out in an appropriate manner to ensure no adverse effects are created.

## 5 RELIEF SOUGHT & SUPPORTING RATIONALE

### 5.1 RELIEF SOUGHT

On behalf of James Lin, the following decision from the Waikato Council is sought:

Partial rezoning of the submission site from Rural to Village Zone in accordance with Sheet 2 of the plans attached within **Appendix A**.

### 5.2 SUPPORTING RATIONALE

The additional Village Zoned land will help contribute to satisfying the current demand and strategic projected growth of Tuakau

The existing Village Zone under the PWDP is restricting and does not encompass the full potential of the site. There are multiple other areas, including the small plateau located to the north west and the Rural zoned land within the gully, which would be suitable for the Village Zone.

Access restrictions to service the current Village zoned area have been identified onsite, due to the land dropping steeply away from Dominion Road. By encompassing the whole site within the Village Zone a more appropriate entrance can be provided which will allow for more efficient access to the gully area.

A potential future road connection has also been provided on the Concept Plan (Sheet 3), attached within **Appendix A**. This potential connection may provide more connectivity and accessibility within the Village Zone and allow better access to those properties zoned village which are restricted by access.

The current Rural zoned areas of the submission site are not suited to a range of rural activities due to the scale and nature of the site and can be better utilised as Village zoned land.

The existing dwelling on the submission site is segregated from the farming block and gives the appearance of a separate property currently.

The majority of the lots shown on the Concept Plan (Sheet 3), attached within **Appendix A**, are located in or around the gully. This will help to visually contain the developments and means they will not be intrusive within the surrounding area or landscape.

The ridgeline and plateau located to the north west of the gully area within the site is overshadowed by the hilly terrain east of the site, towards Ridge Road. Development of this land should not appear visually prominent or invasive in the wider contexts of the general area.

Connectivity and links can be provided between other properties located in the Village Zone, including an adjoining property which is undertaking a similar submission to this one. Refer to Sheet 2 attached within **Appendix A**.

## 6 SUMMARY

Village zoning of part of the submission site is valued by the submitter, and is seen as a sensible use of the land.

Further areas of the submission site zoned as rural is considered feasible for re-zoning as village zone land, and can provide valuable accessibility links and practical connectivity within the submission site, and potential routes to adjoining land holdings that will have restricted access off Dominion Road.

The concept plan illustrating a potential development of the submission site demonstrates the need for site specific considerations in respect of the proposed village zone boundary in this location, and the ability of the submission site to assist in providing future improved accessibility and connectivity to adjoining neighbouring village zoned land, thereby contributing to the potential for improved residential communities.

Any opportunity to discuss this submission further with Council is welcomed. It is hoped that a collaborative working relationship can be established between both parties. It is noted that any additional technical documents not already enclosed can be provided as required.

Birch Surveyors Limited wish to be heard in support of this submission.

If others make a similar submission, Birch Surveyors Limited will consider presenting a joint case with them at a hearing.

Yours sincerely

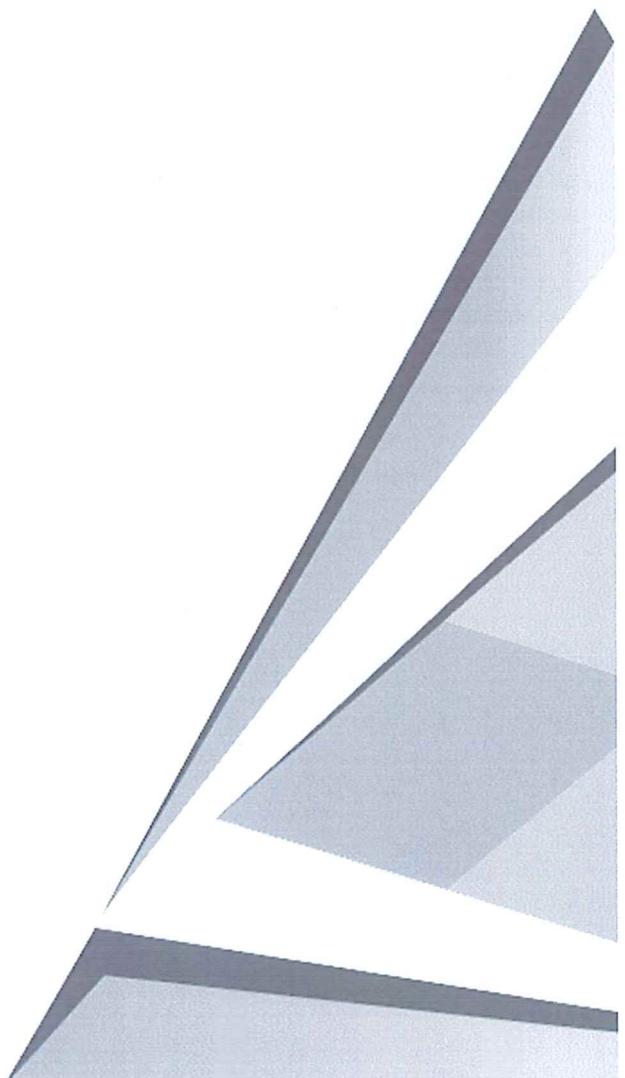


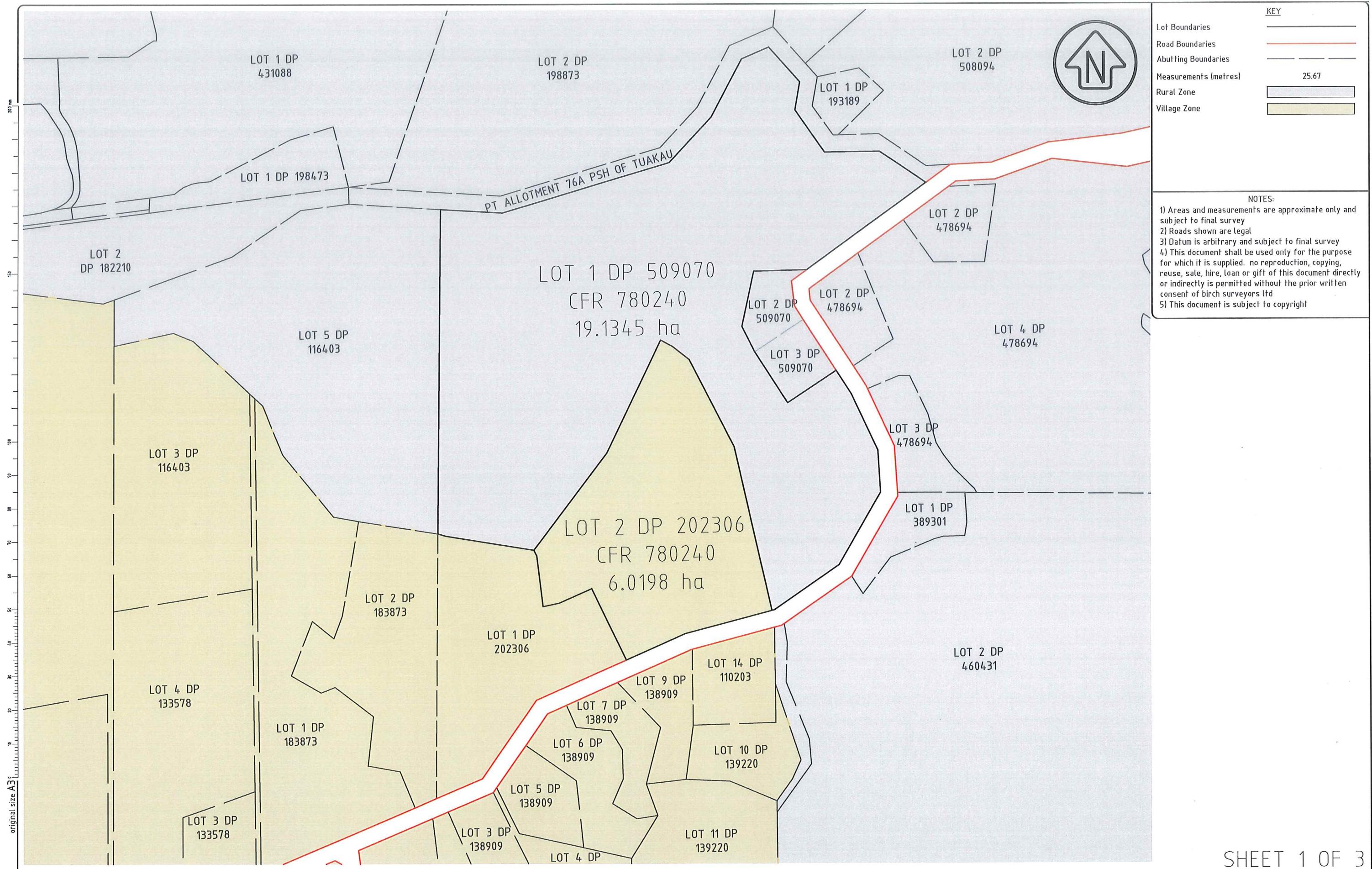
Nick Hall

Birch Surveyors Limited

## APPENDIX A

# CONCEPT PLANS (SHEETS 1-3)





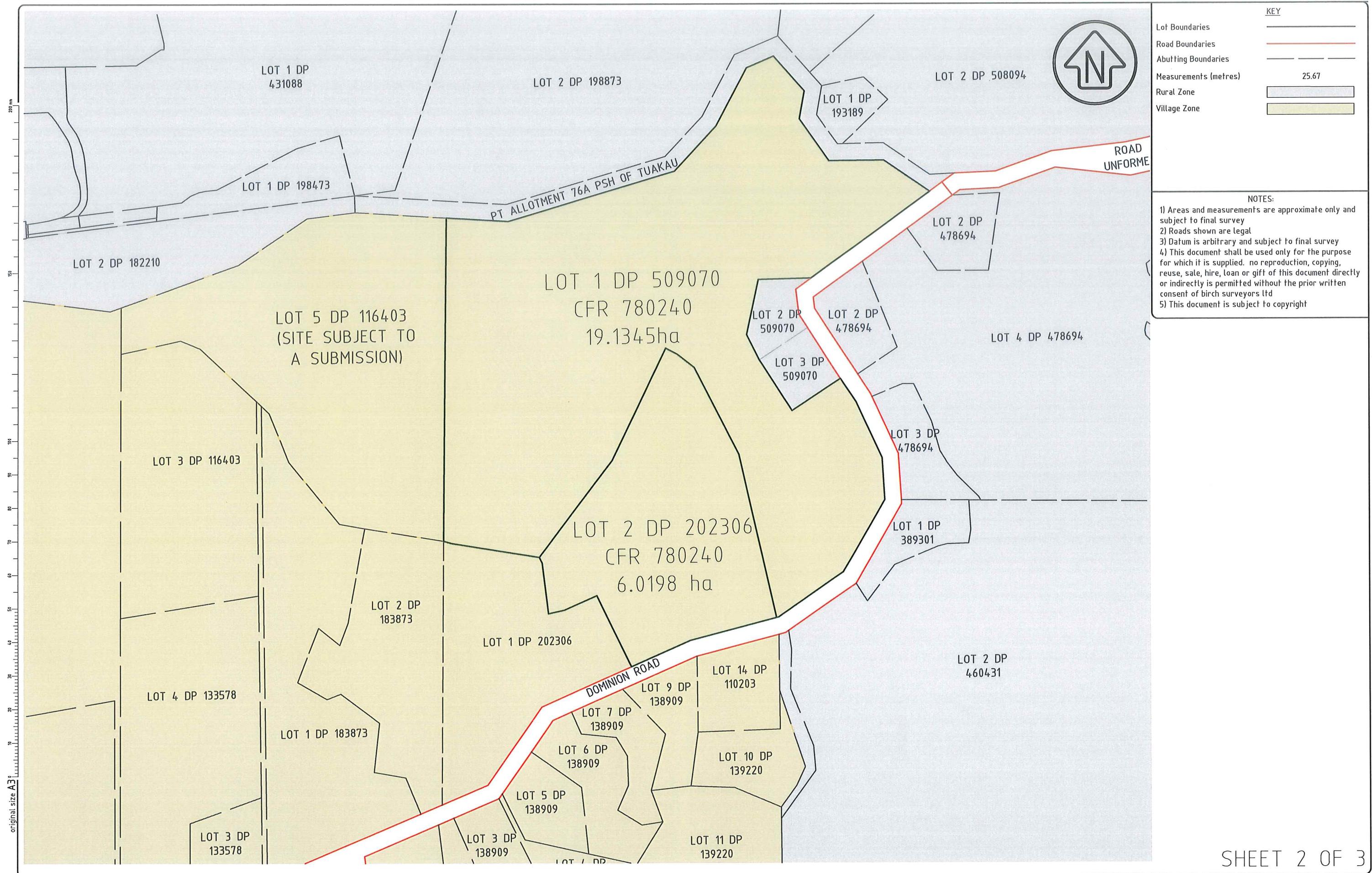
LOCAL AUTHORITY	WAIKATO DISTRICT COUNCIL
PLANNING MAP	
ZONING	RURAL/VILLAGE
ACTIVITY	SUBMISSION
COMPRISED IN	CFR 780240
TOTAL AREA	19.1345 ha
REGISTERED OWNERS	XIKANG LIN

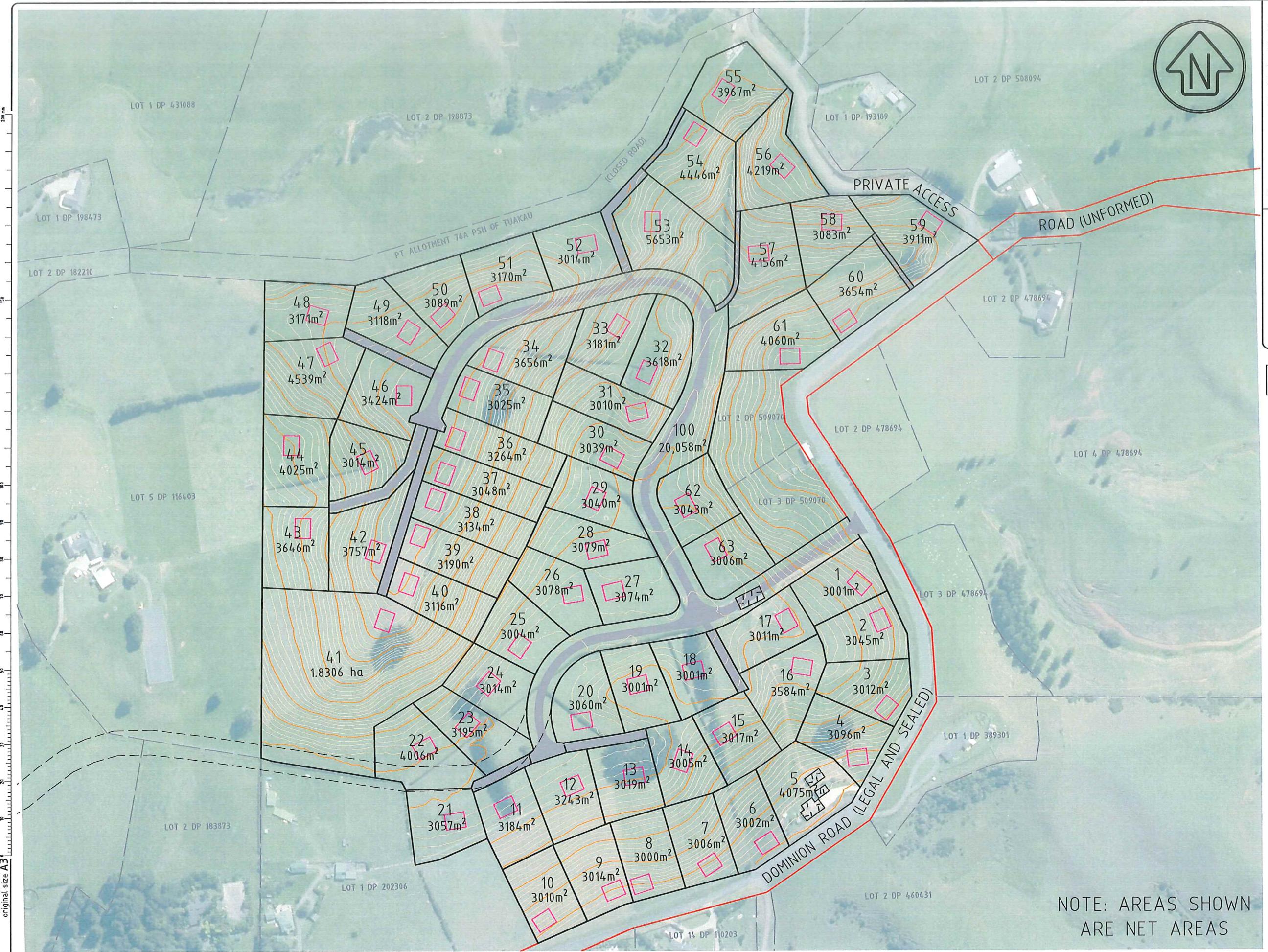
PROJECT NAME  
**LIN**  
**297 DOMINION ROAD**  
**TUAKAU**

Surveyed	Signed	Date	Project No.
-	-	-	4490
Designed	Signed	Date	Scale Hz: 1:4000 @ A3
-	-	-	Drawn S.Shuker
Approved BSL	Signed	Date	09/18 REV. BY DATE COMMENT A SS 09/18 INITIAL DRAFT

**TITLE**  
**ZONE MAP OF**  
**LOT 1 DP 509070 AND LOT 2 DP 202306**

Drawing Name	F:\..\CAD\CP 4490 (Zone Maps).dwg /	SUBJECT TO FINAL SURVEY	Rev.	A
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CONCEPT  
ONLY

SHEET 3 OF 3



Surveyed	Signed	Date	Project No.
-	-	-	4490
Designed	Signed	Date	Scale Hz: 1:3000 @ A3
		-	
Drawn S.Shuker	Signed	Date 09/18	REV. BY DATE COMMENT
		A SS 09/18	INITIAL DRAFT
Approved BSL	Signed	Date	

# APPENDIX B

## PHOTOGRAPHS OF SUBMISSION SITE

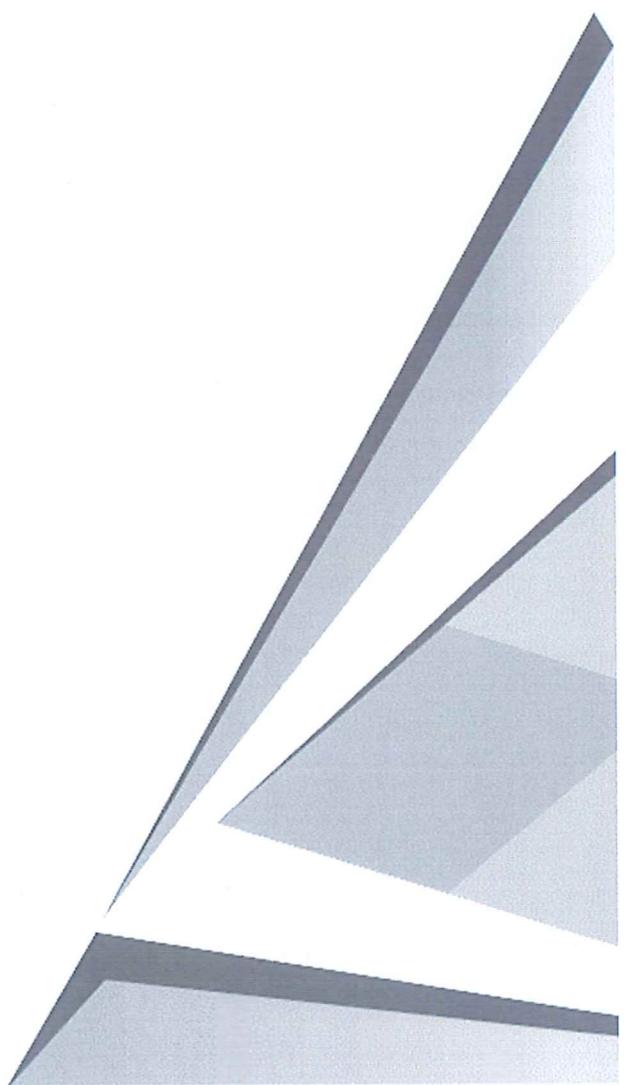




Figure 1: Photo from Lot 56 looking South West down the valley



Figure 2: Photo from Lot 36 looking south east towards the existing dwelling



Figure 2: Photo from Lot 29/30 looking west up the slope



Figure 4: Drone photo looking west towards small plateau on rise

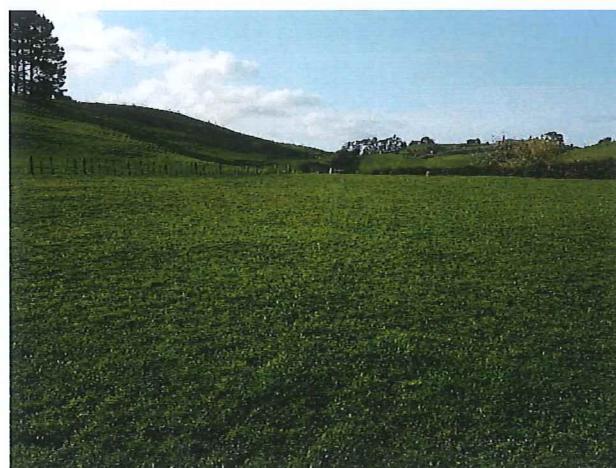


Figure 5: Photo from Lot 26 looking north up the valley



Figure 6: Photo from Lot 22 looking east. Slope on the right is the only access to Dominion Road for existing Village Zone



Figure 7: Photo of the small plateau in the north west region of the site



Figure 8: Drone photo of the small plateau in the north west region of the site viewed west over proposed village zoned land

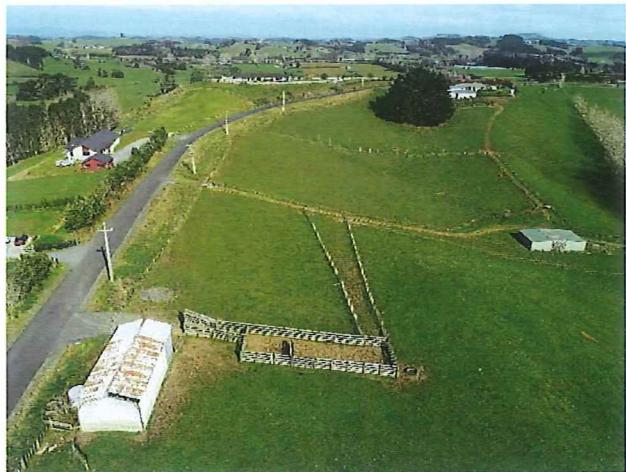


Figure 9: Drone photo looking south towards the existing dwelling



Figure 10: Drone photo looking south west down the valley



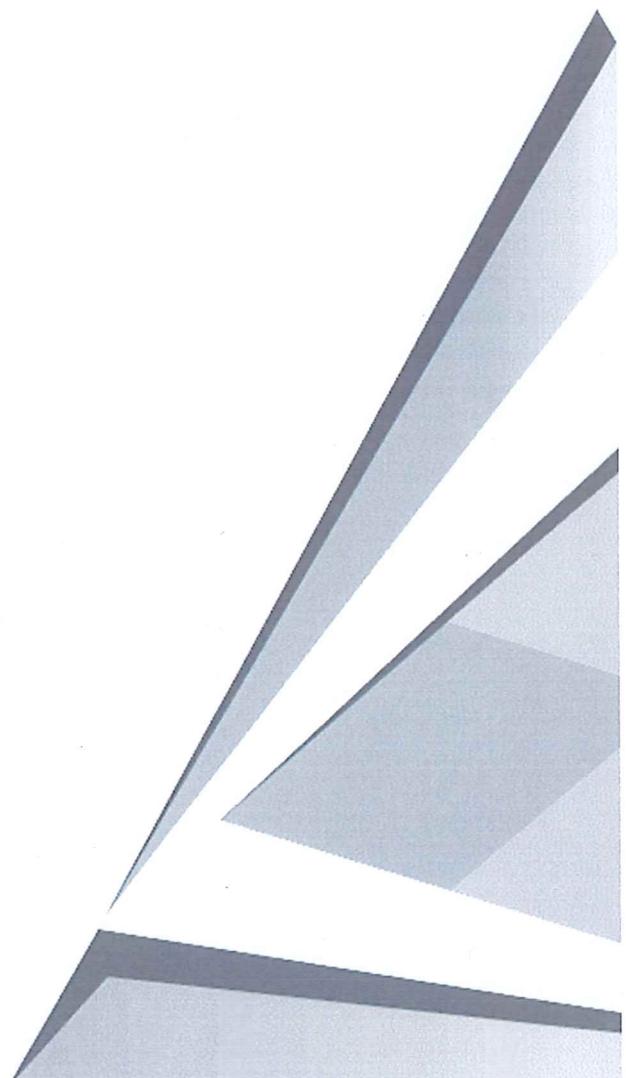
Figure 11: Photo from Lot 62 looking north up the valley



Figure 12: Drone photo from Dominion Road looking north east towards the submission site, (site indicative boundaries shown) neighbouring village zoned land in foreground

# APPENDIX C

## COMPUTER FREEHOLD REGISTER (CFR)





# COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952

## Search Copy



R.W. Muir  
Registrar-General  
of Land

**Identifier** 780240  
**Land Registration District** North Auckland  
**Date Issued** 28 March 2018

### Prior References

NA130D/396

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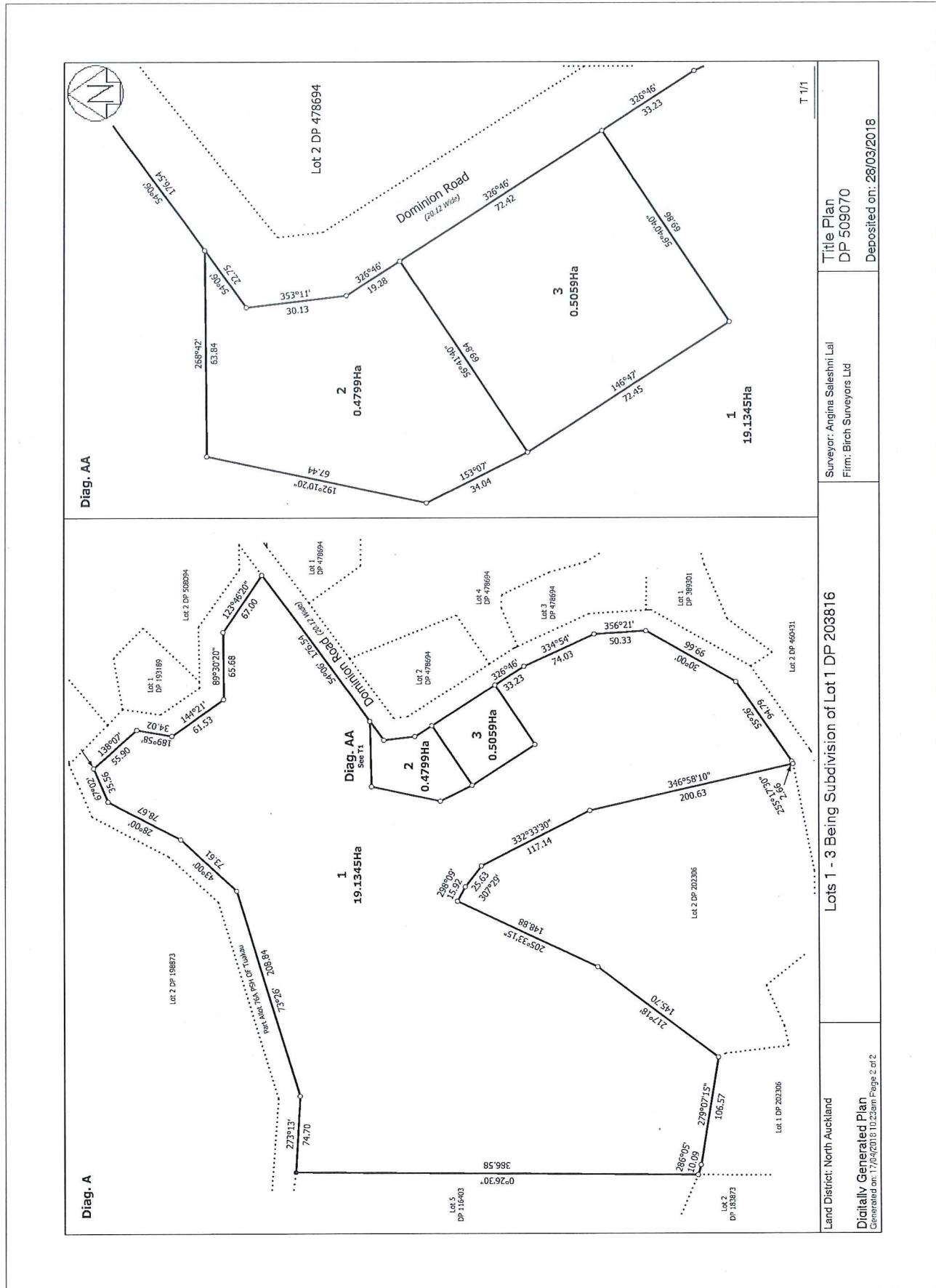
**Estate** Fee Simple  
**Area** 25.1543 hectares more or less  
**Legal Description** Lot 2 Deposited Plan 202306 and Lot 1  
Deposited Plan 509070

**Proprietors**  
Xikang Lin

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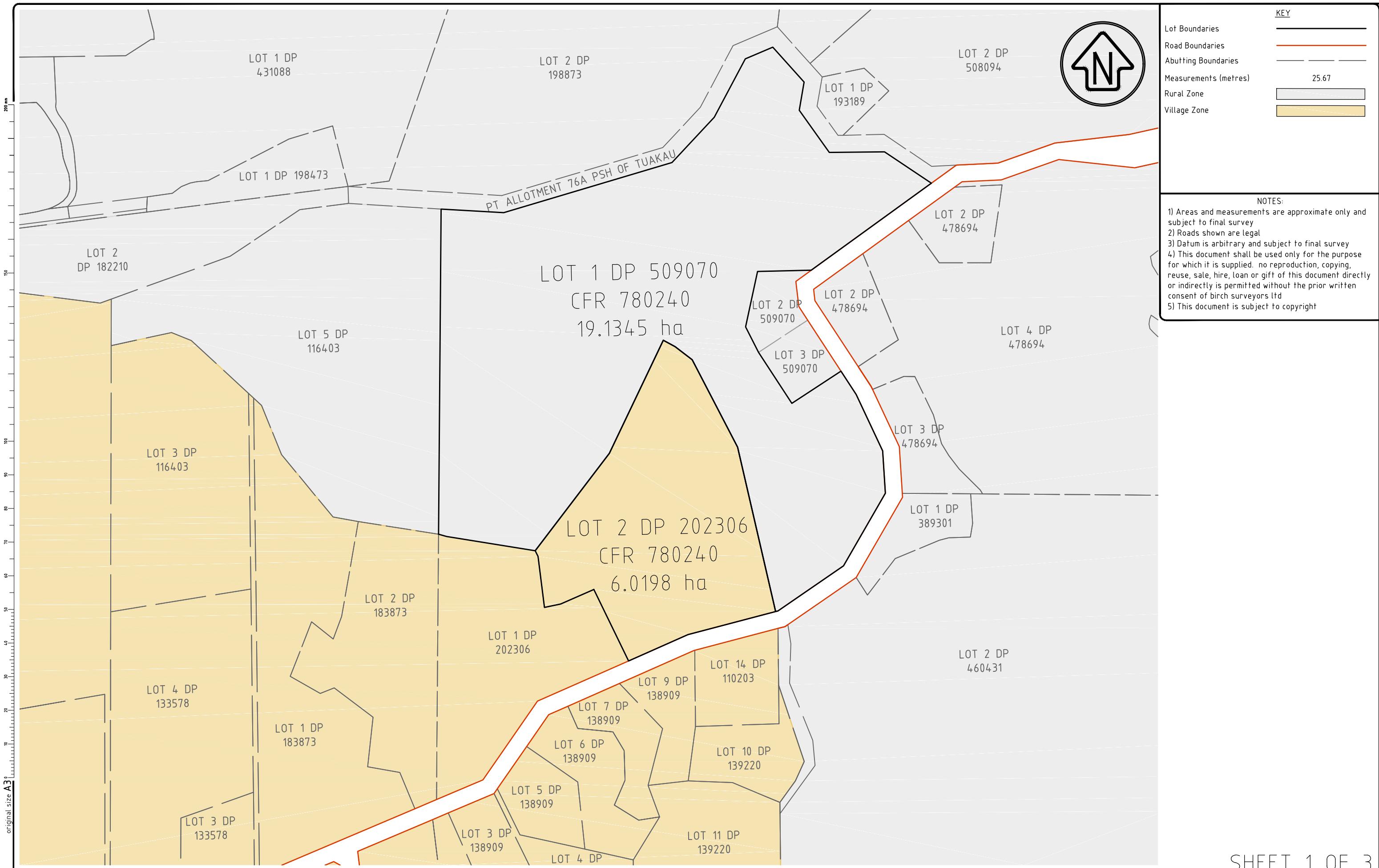
### Interests

10233680.3 Mortgage to Bank of New Zealand - 2.11.2015 at 6:25 pm  
Subject to Section 241(2) Resource Management Act 1991 (affects DP 509070)  
11020019.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 28.3.2018 at 9:16 am  
(Affects Lot 1 DP 509070)



**Attachment B**

**Concept Plan**



**Birch**  
surveyors

Property House  
2A Wesley Street, Pukekohe  
PO Box 475,  
Pukekohe 2340  
Ph: 09 237 1111  
Fax: 09 238 0033  
pukekohe@bslnz.com  
www.birchsurveyors.co.nz

LOCAL AUTHORITY	WAIKATO DISTRICT COUNCIL
PLANNING MAP	
ZONING	RURAL/VILLAGE
ACTIVITY	SUBMISSION
COMPRISED IN	CFR 780240
TOTAL AREA	19.1345 ha
REGISTERED OWNERS	XIKANG LIN

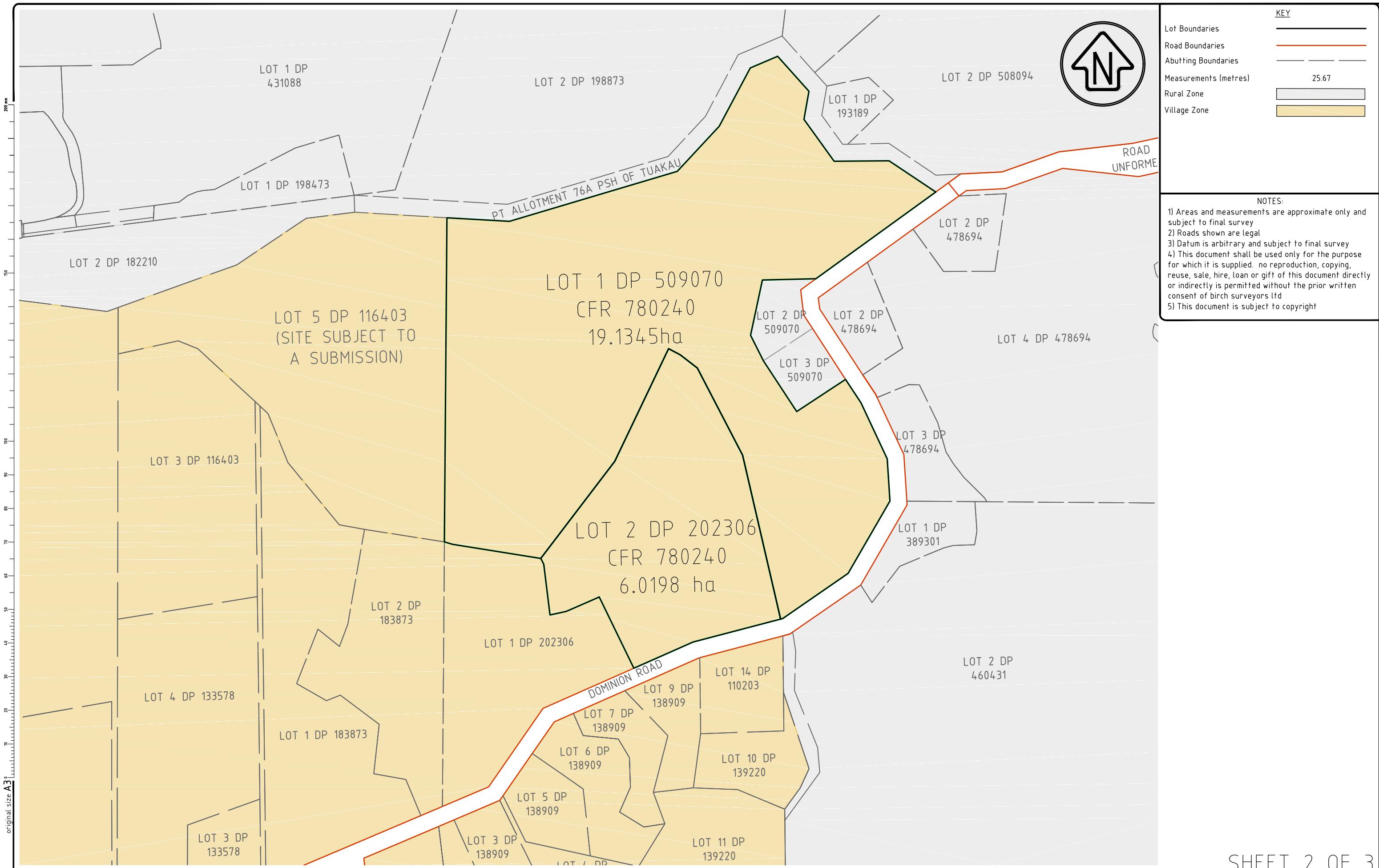
PROJECT NAME

LIN  
297 DOMINION ROAD  
TUAKAU

Surveyed	Signed	Date	Project No.
-	-	-	4490
Designed	Signed	Date	Scale Hz: 1:4000 @ A3
-	-	-	REV. BY DATE COMMENT
Drawn S.Shuker	Signed	Date 09/18	A SS 09/18 INITIAL DRAFT
Approved BSL	Signed	Date	

**TITLE**  
**ZONE MAP OF**  
**LOT 1 DP 509070 AND LOT 2 DP 202306**

Drawing Name: F:\...\CAD\CP 4490 (Zone Maps).dwg / SUBJECT TO FINAL SURVEY Rev. A



KEY

Lot Boundaries	
Road Boundaries	
Abutting Boundaries	
Measurements (metres)	25.67 
Existing Buildings	
Contour - Major (5m)	
Contour - Minor (1m)	
Potential House Sites	
Access	
Potential Future Connection	



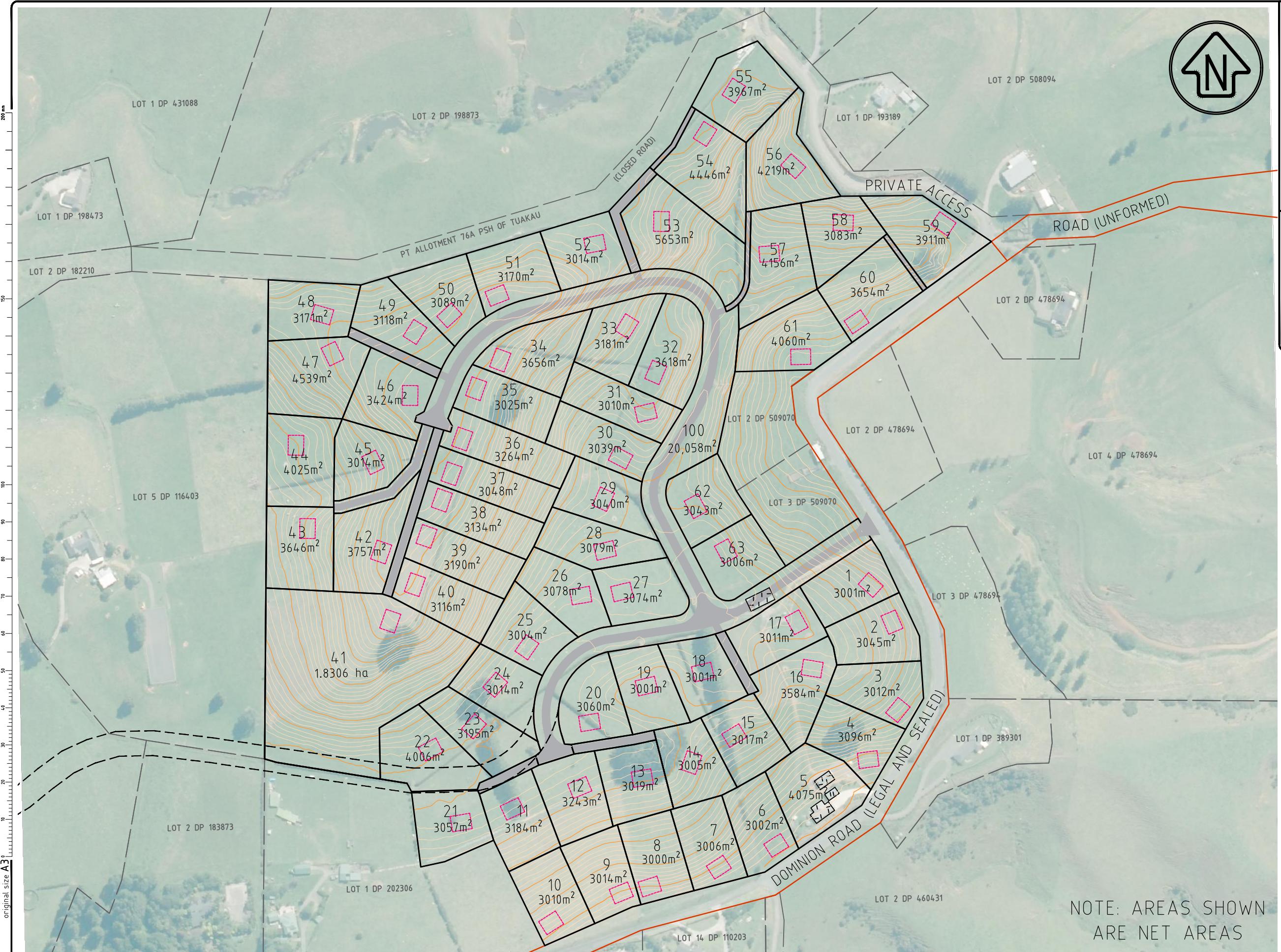
NOTES:

- 1) Areas and measurements are approximate only and subject to final survey
- 2) Roads shown are legal
- 3) Datum is arbitrary and subject to final survey
- 4) This document shall be used only for the purpose for which it is supplied, no reproduction, copying, reuse, sale, hire, loan or gift of this document directly or indirectly is permitted without the prior written consent of birch surveyors ltd
- 5) This document is subject to copyright

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CONCEPT  
ONLY

NOTE: AREAS SHOWN  
ARE NET AREAS

SHEET 3 OF 3



**Attachment C**  
**s32AA Evaluation Report**

Wednesday, 17 February 2021

## PROPOSED WAIKATO DISTRICT PLAN – ZONE EXTENTS SECTION 32AA EVALUATION REPORT

**To:** Planning Department  
Waikato District Council  
Private Bag 544  
Ngaruawahia, 3742

**Submitter:** Birch Surveyors Limited (on behalf of): Xikang (James) Lin

**PWDP – Stage 1, Submission #290**

**Submission Site:** 297 Dominion Road, Tuakau

As per the Minute and Directions from the Hearing Commissioners on the Hearing for Rezoning Requests, dated 12 May 2020, it is expected that the submitters seeking rezoning will need to provide a section 32AA assessment to support their proposal. This has been provided in the tables below.

### ADDRESS FOR SERVICE:

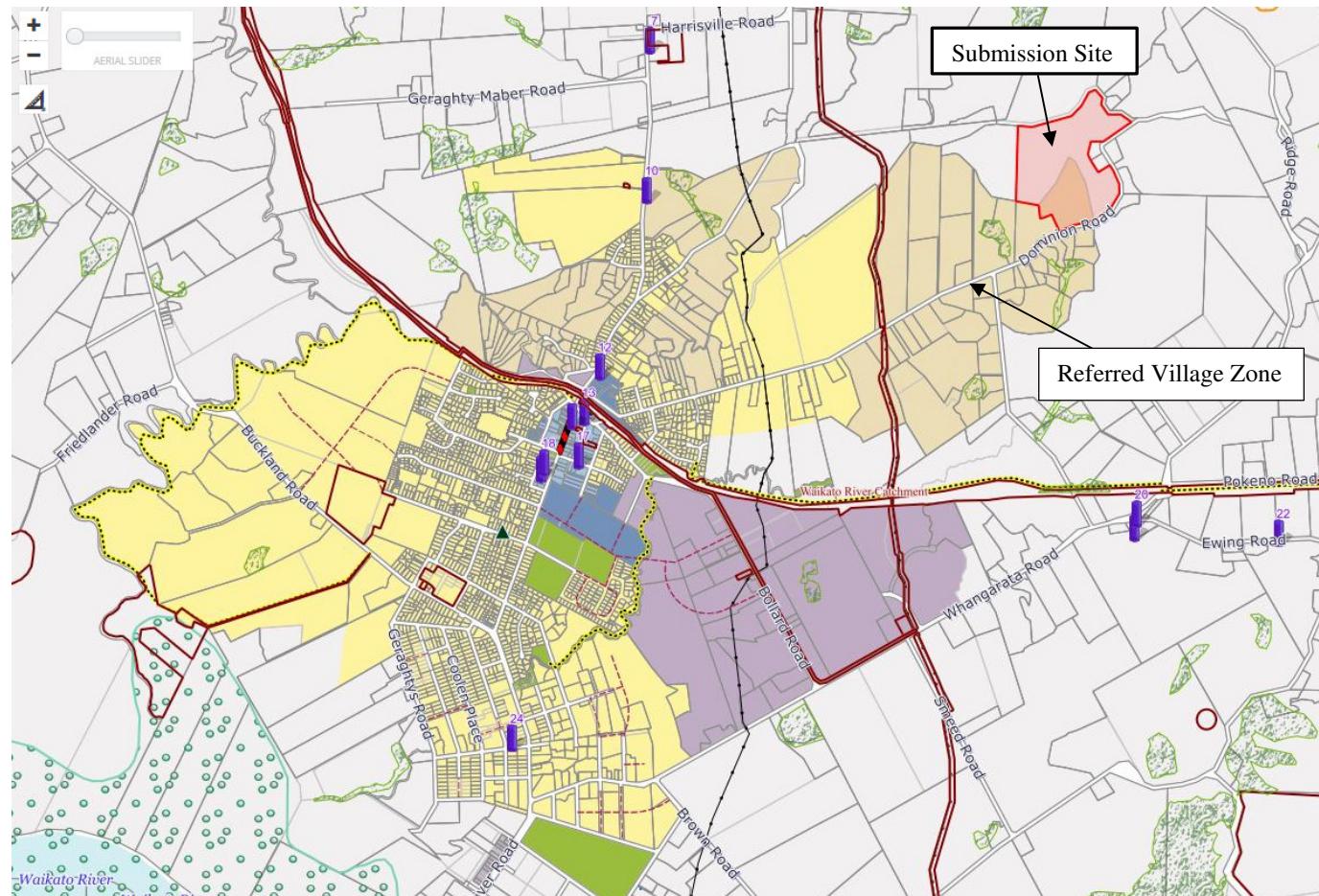
**Name of Agent:** Nick Hall  
**Address:** PO Box 475, Pukekohe  
**Phone:** 09 237 0782  
**Email:** [nick@bslnz.com](mailto:nick@bslnz.com)  
or  
**Name of Agent:** Sam Shuker  
**Address:** PO Box 475, Pukekohe  
**Phone:** 09 237 0811  
**Email:** [sams@bslnz.com](mailto:sams@bslnz.com)

## REZONING PROPOSAL

THE SPECIFIC PROVISIONS SOUGHT TO BE AMENDED	ASSESSMENT OF THE EFFICIENCY AND EFFECTIVENESS OF THE PROVISIONS IN ACHIEVING THE OBJECTIVES OF THE PROPOSED WAIKATO DISTRICT PLAN (PWDP)
<b>The Rezoning Proposal (Option 1)</b>	<p>For this submission (#290) no Section 32 analysis has been carried out in consideration of the extents of the area proposed for re-zoning from Rural Zone land to Village Zone land along Dominion Road, Tuakau, specifically 297 Dominion Road, Tuakau (Submission Site).</p> <p>The PWDP (Notified Version) partially zoned the Submission Site as Village Zone (6.0198ha) whilst the remaining land of the Submission Site is zoned Rural.</p> <p>An original submission (#290) to the PWDP Notified Version was submitted to the Waikato District Council (WDC) on 9<sup>th</sup> October 2018. The submission proposes to re-zone a remaining 19.1345ha of land located at the Submission Site, to include all of the land comprised in Record of Title 782040.</p> <p>For further details refer to the original submission within <b>Attachment A</b> of the Evidence.</p>
<b>Relevant Objectives of the PWDP</b>	<p><i>1.5.2 (a) – Growth occurs in defined growth areas</i></p> <p><i>1.12.8(b)(i) – Urban development takes place within areas identified for the purpose in a manner which utilises land and infrastructure most efficiently.</i></p> <p><i>1.12.8(b)(ii) – Promote safe, compact sustainable, good quality urban environments that respond positively to their local context.</i></p> <p><i>1.12.8(b)(iii) – Focus urban growth in existing urban communities that have capacity for expansion.</i></p> <p><i>1.5.1(b), 1.12.3(a), 1.12.3(c), 4.1.2(a), 5.3.8 – Future settlement pattern consolidated in and around existing towns and villages in the district and in defined grown areas.</i></p> <p><i>4.1.3(b) – Urban growth areas are consistent with Future Proof Strategy for Growth 2017.</i></p>

	<p><i>4.1.3(a) - Infrastructure can be efficiently and economically provided.</i></p> <p><i>4.3.1(a) - The character of the Village Zone is maintained</i></p> <p><i>4.3.4(a) - Neighbourhood residential amenity values in the Village Zone are maintained</i></p> <p><i>4.4.1(a) - The health and well-being of people, communities and the environment are protected from the adverse effects of land use and development</i></p> <p><i>4.7.1(a) - Subdivision layout and design facilitates the land use outcomes sought for the residential, business, industrial, reserve and specific purpose zones</i></p> <p><i>5.1.1(a) - Subdivision, use and development within the rural environment where:</i>  <i>(i)high class soils are protected for productive rural activities;</i>  <i>(ii)productive rural activities are supported, while maintaining or enhancing the rural environment;</i>  <i>(iii)urban subdivision, use and development in the rural environment is avoided</i></p> <p><i>5.3.8 (a), (b), (e) &amp; (f) - Effects on rural character and amenity from rural subdivision</i></p> <p><i>Meet the district wide rules and any relevant overlays.</i></p>	<p>c) non-reticulated lots can be provided with sufficient space to accommodate onsite services until such time when reticulated services become available and further intensification of the site can occur.</p> <p>d) future transport networks could link with adjacent Village Zone land; thereby contributing to defining the zone boundary, maintaining the Village Zone character, potential transport and infrastructure network links; and minimising potential land use effects and rural character and amenity effects.</p> <p>The site retains mostly non-versatile Class 4 soils according to The New Zealand Land Resource Inventory (NZLRI) Land Use Capability Maps which are not considered high-class or versatile soils – refer <b>Attachment D</b> of the evidence</p> <p>PWDP Village Zone land west of the Site, but in close proximity, adjoins Dominion Road and is steeper in nature. Dominion Road runs along a small ridge line at this location where lots zoned Village will look to service development. The Submission Site Concept Plan indicates alternative routes and connectivity to neighbouring properties which would assist to relieve access, transport and infrastructure network pressures through direct access from Dominion Road. This also reduces the potential impacts of ribbon development off Dominion Road.</p> <p>Structure Planning and development controls can facilitate the land-use and transitional development outcomes of the Village Zone.</p> <p>Within the Future Proof Strategy for Growth (2017) (FPS), Tuakau has been identified as a growth management area which is planned to accommodate residential growth.</p> <p>We have reviewed the relevant PWDP rules and overlays, and anticipate any future subdivision onsite will be able to be developed in accordance with these.</p>
<b>Scale and Significance of the Rezoning Proposal</b>	The extent of the re-zoning covers the remaining areas of the Submission Site comprising 19.1345ha so will only be of local significance. Village Zoned land off Dominion Road, east of the Residential Zoned land under the PWDP comprises an area of approximately 123.5 hectares (gross area). Therefore, the percentage increase of Village Zone	

land proposed by this submission, specific to the Dominion Road location, is 15.49%. **Figure 1** below maps the location of the Submission Site and its relationship to the proposed zoning under the PWDP



**Figure 1:** PWDP Zone Map (Source Waikato District Plan Intramaps) identifying the Submission Site location and scale.

The re-zoning will extend the Village Zone along Dominion Road in which appropriate levels of character and amenity anticipated for this area can be achieved. Re-zoning will not result in significant changes to the character and amenity anticipated of this location by the PWDP or the wider Tuakau area.

The site is not subject to any of the matters of national importance identified within Section 6 of the RMA.

	<p>Referring to the evidence in which this evaluation is enclosed to, an assessment has been provided against the relevant higher order documents.</p> <p>The PWDP adds to the need for improved transport integration in Tuakau, as does the addition of the re-zoning of the Submission Site. New zoning along Dominion Road will require significant upgrades and transport planning to ensure safe and efficient access can be provided. However, the Submission Site can contribute to improved traffic scenarios by potentially providing alternative access routes (as indicated on the Concept Plan supplied with the original submission), or in support of strategic transport planning that will likely occur as part of structure planning undertaking by the Council following the decisions on the PWDP.</p> <p>Potential land-use effects by the addition of the Submission Site are considered low as;</p> <ul style="list-style-type: none"> <li>- the site adjoins land zoned for Village;</li> <li>- the site is located 'upstream' of public stormwater and wastewater services meaning that economical gravity fed public infrastructure extensions can be made;</li> <li>- the addition of the Submission Site will form a more defensible zone boundary, whilst the neighbouring rural zone land (east and north of the Submission Site) is historically and typically low intensive grazing land (sheep and beef);</li> <li>- there is potential to provide options for transport network extensions; and</li> <li>- the Submission Site contains mostly non-versatile soils</li> </ul> <p>The Village Zone rules provide that larger lot sizes can occur to ensure that onsite servicing can be provided where public reticulation is unavailable; provided that when public services become available, further intensification of the Village zoned land can occur. This type of transitional zoning has been identified in Hearing 6 Village Zone as potentially problematic. The s42A report for the Village Zone has recommended that a Village Future Urban Density Precinct (VFUDP) be introduced which would restrict Village Zone properties within this precinct to be developed when reticulated services become available. Specific to the Submission Site, the adjoining Village Zone land east of the Residential Zone land along Dominion Road has been identified within the VFUDP, and we would therefore anticipate, if adopted, the Submission Site would also be included in the VFUDP.</p> <ul style="list-style-type: none"> <li>- Of note, the transitional nature of the Village Zone will require controls and structure planning to ensure the outcomes sought by the Village Zoning are achieved. The PWDP does not provide this detail to date, and the s42A report on the Village Zone recommends a halt on Village Zone development (by way of the VFUDP) until service are available.</li> <li>- However, evidence presented at Hearing 6 demonstrated that reticulated development, including future roading, on a non-reticulated subdivision site could be achieved with a little forward thinking. In addition, the Village Zone can be developed under the guidance of a Structure Plan and specific development controls, addressing planning for infrastructure growth, transport networks, public open space and reserves.</li> <li>- Integrating development of the Village Zone in this manner, should enable the transitional scale of development and functioning anticipated by the PWDP Village Zone.</li> </ul> <p>The Framework Report indicates that it is undesirable for properties to be split between multiple zones. The site currently features two allotments which are held in one title. Under the PWDP one of the allotments is zoned Village and the other is zoned Rural. The proposed rezoning will help to remove any cross-zone difficulties which may be</p>
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	<p>created when the site is developed in the future, and enables the Council to plan for the additional growth needs required.</p> <p>The Framework also suggests the need for zone boundaries to be clearly defensible e.g., follow road boundaries. Referring to the Concept Plan, within <b>Attachment B</b> of the Evidence, the extent of Dominion Road creates a more defined boundary for the Village Zone and will help provide a buffer from the Rural Zone.</p>
<b>Other Reasonably Practicable Options to Achieve the Objectives (alternative options)</b>	<p><b>Alternative 2 (Option 2):</b> Retain PWDP boundaries – status quo</p> <p><b>Alternative 3:</b> Partial Re-zone.      Comment: A partial re-zone may enable improved access, transport and infrastructure networks at this end of Dominion Road. A partial re-zone will not contribute to the matter of avoiding creating split zones on the site, nor improve the defensible zone boundary. On this basis, at this time, the partial re-zone alternative has not been considered further</p>

## BENEFITS AND COST ANALYSIS OF THE RE-ZONING PROPOSAL

REZONING PROPOSAL – RE-ZONE RURAL LAND TO VILLAGE – OPTION 1		
	BENEFITS	COST
<b>General</b>	<p>The Site is no longer being split between two zones. Zone boundaries should follow property boundaries.</p> <p>Incorporating land within the natural and physical catchment adjoining PWDP Village Zone creates a more defensible boundary between the Village Zone and Rural Zone.</p> <p>Options for potential public access, transport and infrastructure network expansion and neighbouring connectivity.</p>	<p>There are very limited general costs associated with this proposal.</p>
<b>Environmental</b>	<p>Enables options for appropriate and efficient levels of servicing and improved Village character and amenity</p> <p>Rural character and amenity are maintained</p> <p>The Site is predominantly non-versatile soils.</p>	<p>Loss of some Rural Land.</p>
<b>Social</b>	<p>Enables additional housing supply growth in Tuakau.</p> <p>Improved accessibility and services for the Village Zone making the area more attractive to existing and future residents.</p>	<p>There are very limited social costs associated with this proposal.</p>
<b>Economic - General</b>	<p>The Site is not of a size to carry out a viable rural operation and would be better suited for Village Zone development.</p>	<p>There are very limited general economic costs associated with this proposal.</p>
<b>Economic Growth</b>	<p>Re-zoning will increase the local population through the additional development and housing on the site.</p>	<p>Additional development will create further demands on existing infrastructure.</p>

	A greater rating and development contribution base will enable Council to plan and implement local public works improvements and upgrades.	
<b>Employment</b>	<p>Re-zoning will increase the local population, providing existing local and new businesses a larger potential client base.</p> <p>Short-term: construction and development opportunities will be increased where people will be required for construction and development of the site.</p>	There are very limited employment costs associated with this proposal.
<b>Cultural</b>	The site is not located near any registered or known sites of significance to Mana Whenua; nor are any other historical interests known for this location.	There are very limited cultural costs associated with this proposal.

REZONING PROPOSAL – RETAIN PWDP ZONE BOUNDARIES – OPTION 2		
	BENEFITS	COST
<b>General</b>	There are very limited general benefits associated with this proposal.	<p>The property comprised in RT 780240 (the Submission Site) will be split between two zones – Village Zone and Rural Zone.</p> <p>The eastern extent of the PWDP Village Zone boundary will not follow the natural and physical catchments of the location and thereby compromises the defensible zone boundary between the Village Zone and Rural Zone.</p> <p>Public access, transport and infrastructure network expansion, and neighbouring connectivity opportunities are limited due to directly accessing from Dominion Road.</p>
<b>Environmental</b>	<p>The site will remain rural land.</p> <p>Rural character and amenity are maintained.</p>	Reduced options for appropriate and efficient levels of accessibility and servicing for the Village character and amenity.

		<p>Increased potential for reverse sensitivity effects.</p> <p>Increase potential land-use conflict.</p>
<b>Social</b>	Enables additional housing supply growth in Tuakau.	<p>Increase potential for land-use conflicts.</p> <p>Constrains accessibility and services for the Village Zone making the area less attractive to existing and future residents.</p>
<b>Economic - General</b>	There are very limited general economic benefits associated with this proposal.	The rural land contained within the site is not of a size to carry out a viable rural operation.
<b>Economic Growth</b>	Retaining the PWDP Village Zone as proposed will maintain the anticipated economic growth from additional housing on the site.	Growth will be lower, with a lower lot and housing yield than if the entire site was zoned Village.
<b>Employment</b>	<p>Retaining the PWDP Village Zone as proposed will maintain the anticipated increased local population and local business and employment base.</p> <p>Short-term: construction and development opportunities will be maintained where people will be required for construction and development of the site.</p>	<p>Lower lot and housing yields equate to a smaller local population to service existing local and new businesses.</p> <p>Short-term employment benefits are smaller simply as the scale of the development is smaller.</p>
<b>Cultural</b>	The site is not located near any registered or known sites of significance to Mana Whenua; nor are any other historical interests known for this location.	There are very limited cultural costs associated with this proposal.

## EVALUATION OF THE PROPOSAL

<b>Reasons for the selection of the preferred option</b>	<p>To summarise, both Options 1 and 2:</p> <ul style="list-style-type: none"> <li>- enable Village Zone development to occur,</li> <li>- can maintain rural character and amenity</li> <li>- are not located near registered or recorded cultural or historic sites</li> <li>- may provide potential economic growth and employment</li> </ul> <p>In addition to the above-mentioned Option 1 – Re-Zone from Rural to Village;</p>				
	<b>BENEFITS</b>	<b>COSTS</b>			
<ul style="list-style-type: none"> <li>- follows property boundaries and,</li> <li>- enables the development of a more defensible Zone boundary by the inclusion of natural and physical boundaries</li> <li>- may provide options for public access, transport and infrastructure network expansion and neighbourhood connectivity, for appropriate and efficient levels of servicing and improved Village character and amenity</li> <li>- utilises non-versatile soils for residential development,</li> <li>- may provide greater potential economic growth and employment</li> </ul>		<ul style="list-style-type: none"> <li>- loss of rural land</li> <li>- increased demands on existing infrastructure.</li> </ul>			
<p>In addition to the above-mentioned Option 2 – Retain the PWDP Village Zone as Notified;</p>					
<table border="1"> <tr> <td><b>BENEFITS</b></td><td><b>COSTS</b></td></tr> <tr> <td> <ul style="list-style-type: none"> <li>- the Site retains some rural land</li> </ul> </td><td> <ul style="list-style-type: none"> <li>- Site contains a split zone, i.e. the Zone extents does not follow property boundaries, thereby, compromising the defensible zone boundary between the Village Zone and Rural Zone</li> <li>- options for public access, transport and infrastructure network expansion, and neighbouring connectivity are reduced and limited to directly accessing from Dominion Road.</li> <li>- Increased potential land-use conflicts</li> <li>- Increased potential reverse sensitivity effects</li> </ul> </td></tr> </table>		<b>BENEFITS</b>	<b>COSTS</b>	<ul style="list-style-type: none"> <li>- the Site retains some rural land</li> </ul>	<ul style="list-style-type: none"> <li>- Site contains a split zone, i.e. the Zone extents does not follow property boundaries, thereby, compromising the defensible zone boundary between the Village Zone and Rural Zone</li> <li>- options for public access, transport and infrastructure network expansion, and neighbouring connectivity are reduced and limited to directly accessing from Dominion Road.</li> <li>- Increased potential land-use conflicts</li> <li>- Increased potential reverse sensitivity effects</li> </ul>
<b>BENEFITS</b>	<b>COSTS</b>				
<ul style="list-style-type: none"> <li>- the Site retains some rural land</li> </ul>	<ul style="list-style-type: none"> <li>- Site contains a split zone, i.e. the Zone extents does not follow property boundaries, thereby, compromising the defensible zone boundary between the Village Zone and Rural Zone</li> <li>- options for public access, transport and infrastructure network expansion, and neighbouring connectivity are reduced and limited to directly accessing from Dominion Road.</li> <li>- Increased potential land-use conflicts</li> <li>- Increased potential reverse sensitivity effects</li> </ul>				

	<p>Having examined each options costs and benefits, the existing PWDP Village Zoning (Option 2) does not effectively address the issues relating to the Submission Site. Option 1 addresses the issues more effectively and efficiently.</p> <p>Option 1 includes the entire Submission Site to be solely contained within the Village Zone, and establishes a more defensible boundary between the Village and Rural Zone, whilst providing options for access, transport and infrastructure growth, neighbouring connectivity and improved Village amenity and character; whilst increased opportunity for local economic growth and employment may be gained by the increased development areas, housing supply and local population growth.</p>
<b>Extend to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the RMA</b>	<p>The objective is the re-zoning of the entirety of the Submission Site to Village Zone. No other site-specific objectives are offered. The preceding sections of this report indicate that the proposal can achieve the purpose of the Resource Management Act 1991 (RMA) as the re-zoning provides for additional residential growth adjoining an existing growth area, on predominantly non-versatile soils, and enables potentially improved planning and infrastructure outcomes and economic growth opportunities in the immediate area, and provides additional local housing supply.</p>
<b>Assessment of the risk of acting or not acting if there is uncertain information about the subject matter of the provision</b>	<p>The Submission Site has been evaluated favourably compared with the options presented in the preceding sections of this report. In addition, the submission site has formed part of the catchment area for consideration during development of the Tuakau Structure Plan (circa 2014), and adjoins key growth areas identified in the PWDP, Future Proof 2017 and Waikato 2070. According to the author of the PWDP Hearing 25 Zone Extents Framework Report, the more recently (after the release of the PWDP Notified Version) released National Policy Statement on Urban Development 2020 (NPS-UD) also <i>“...requires councils to have demand +20% plan-enabled, infrastructure-ready and feasible supply.”</i>, and in respect of residential capacity <i>“...given the increase in demand since the PWDP was notified (18 July 2018), further opportunities (within the scope of submissions) should be considered to leverage increased supply and to support competitive land markets in and around the District’s towns (in accordance with new NPS-UD policy). This can be achieved through a mix of greenfield zoning coupled with up-zoning in existing residential areas and up-zoning in undeveloped or proposed rural-residential areas on the periphery of the District’s towns.”</i></p> <p>Overall, it is considered that the risk of not acting on the changes proposed is greater than the risk of acting.</p>
<b>Conclusion</b>	<p>The Submission Site has been evaluated favourably compared with the options presented in the preceding sections of this report, and confirms the proposal is consistent with the purposes of the RMA.</p> <p>The re-zoning will be efficient and effective in achieving the objectives of the PWDP for the following reasons:</p> <ul style="list-style-type: none"> <li>- General alignment with the relevant objectives of the PWDP has been demonstrated in this evaluation.</li> <li>- Alignment with the higher order documents has been addressed which also resolves any tension between the objectives in the PWDP.</li> </ul>

**Attachment D**

**Land Use Capability Map – Class 4 Classification**

# Attachment D.

## Plan of Mapped Land Use Capability, Class 4 Land (hatched Blue)



Sources:

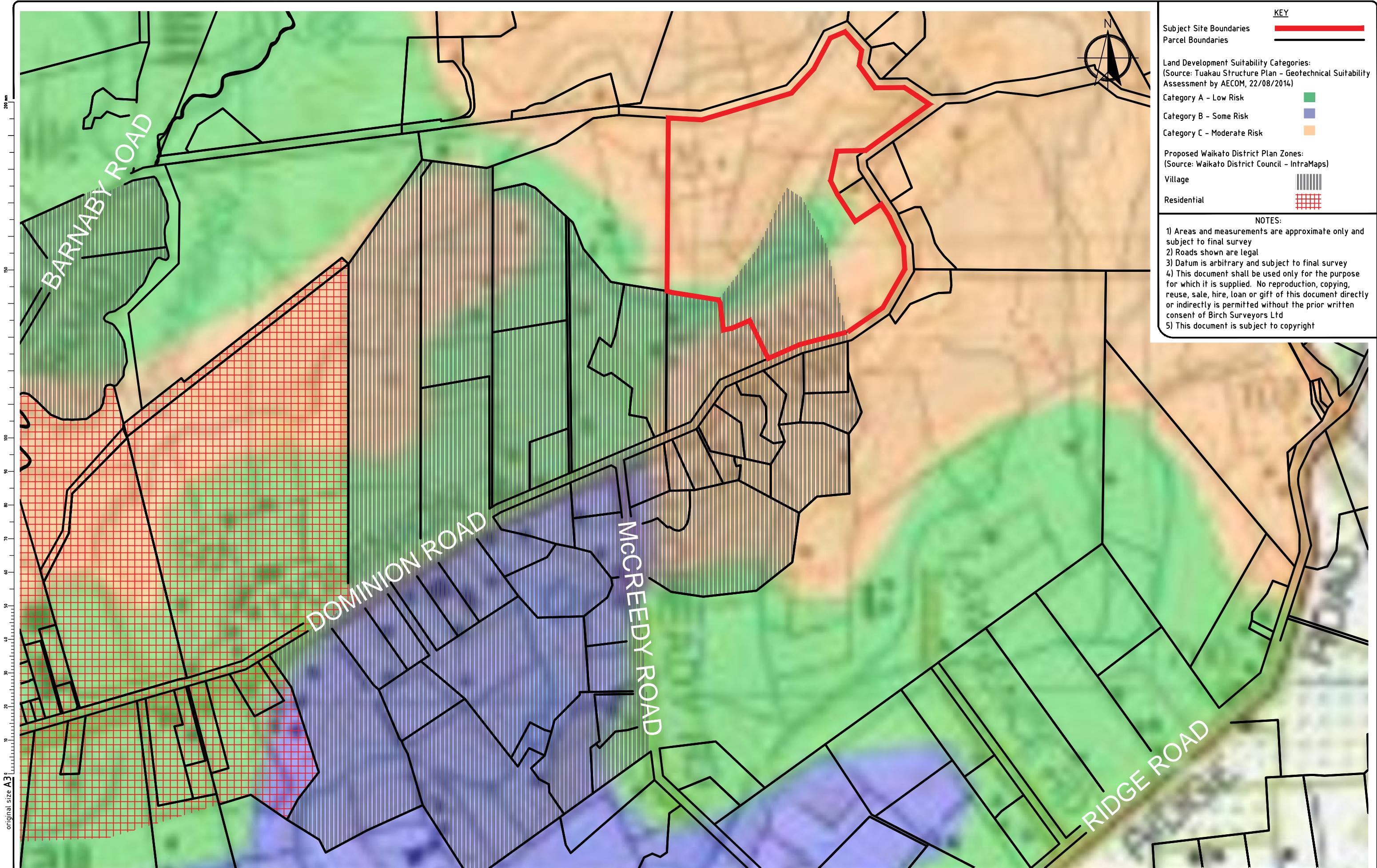
LUC Mapping: The New Zealand Land Resource Inventory (NZLRI) Portal

Aerial Image: Google Earth

Parcel Boundaries: Quikmap

**Attachment E**

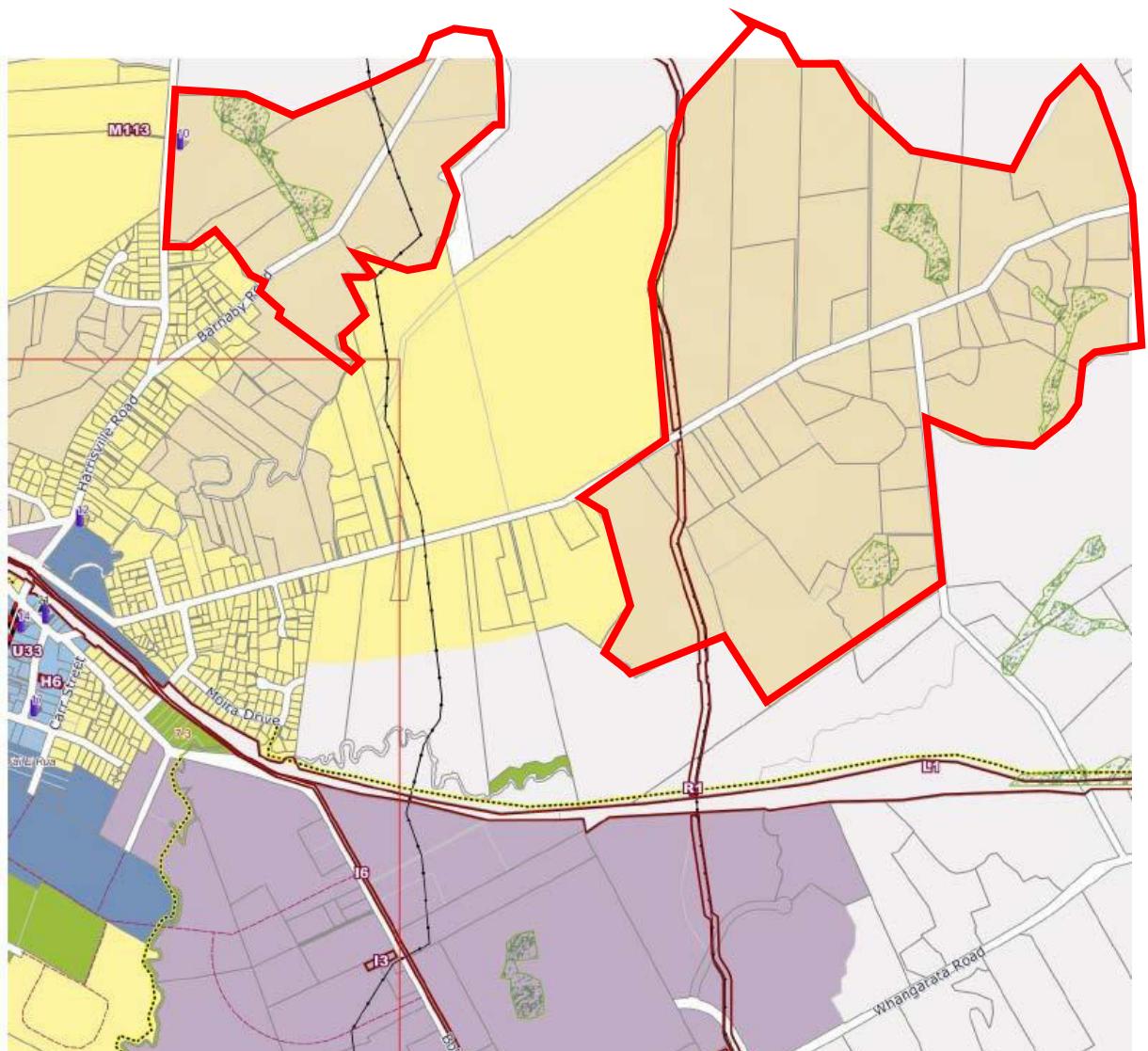
**Plan of PWDP Zones at Dominion Road  
- Land Development Suitability Categories Overlay –**



**Attachment F**

**Village Future Urban Density Precinct Map**

## Tuakau Proposed District Plan as recommended



Red outline = Recommended 'Village Future Urban Density Precinct'. Note the southern Rural Residential zones in the Operative Plan in Tuakau are all proposed to change to Residential zone. The Precinct extent therefore reflects just the north and northeastern blocks that are changing from a Rural Zoning in the Operative Plan to a Village Zone in the Proposed Plan.